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PART II

DEPARTMENT OF DEFENSE

Department of the Navy

■

UNITED STATES NAVY REGULATIONS, 1973

Notice of Implementation

DEPARTMENT OF DEFENSE

Department of the Navy

UNITED STATES NAVY REGULATIONS, 1973

Notice of Implementation

On February 26, 1973, the President of the United States approved United States Navy Regulations, 1973, which replaced United States Navy Regulations, 1948. United States Navy Regulations are issued in accordance with the provisions of title 10, United States Code, section 6011, for the government of all persons in the Department of the Navy, and are endowed with the sanction of law as to duty, responsibility, authority, distinctions, and relationships of various commands, officials, and individuals. The full text of United States Navy Regulations, 1973, is published at this time for notice to the public. Appropriate articles of United States Navy Regulations, 1973, will be codified and incorporated in Title 32, Code of Federal Regulations.

[SEAL] MERLIN H. STARING,
Rear Admiral, JAGC, U.S. Navy, Judge Advocate General of the Navy.

MARCH 19, 1973.

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GLOSSARY

CHAPTER 1

THE DEPARTMENT OF THE NAVY

0101. Origin and Authority.

1. The naval affairs of the country began with the war for independence, the American Revolution. On 13 October 1775, Congress passed legislation forming a committee to purchase and arm two ships. This in effect created the Continental Navy. Two battalions of Marines were authorized on 10 November 1775. Under the Constitution, the First Congress on 7 August 1789, assigned responsibility for the conduct of naval affairs to the War Department. On 30 April 1798, the Congress established a separate Navy Department with the Secretary of the Navy as its chief officer. On 11 July 1798, the U. S. Marine Corps was established as a separate service, and in 1834 was made a part of the Department of the Navy.

2. The National Security Act of 1947, as amended, is the fundamental law governing the position of the Department of the Navy in the organization for national defense. In 1949, the Act was amended to establish the Department of Defense as an Executive Department, and to establish the Departments of the Army, Navy and Air Force (formerly established as Executive Departments by the 1947 Act) as military departments within the Department of Defense.

3. The responsibilities and authority of the Department of the Navy are vested in the Secretary of the Navy, and are subject to his reassignment and delegation. The Secretary is bound by the provisions of law, the direction of the President and the Secretary of Defense, and, along with all Government agencies, the regulations of certain non-defense agencies in their respective areas of functional responsibility.

0102. Objectives.

The fundamental objectives of the Department of the Navy, within the Department of Defense, are (a) to organize, train, equip, prepare, and maintain the readiness of Navy and Marine Corps forces for the performance of military missions as directed by the President or the Secretary of Defense, and (b) to support Navy and Marine Corps forces, including the support of such forces and the forces of other military departments, as directed by the Secretary of Defense, which are assigned to unified or specified commands. Support, as here used, includes administrative, personnel, material and fiscal support, and technological support through research and development.

0103. Composition.

The Department of the Navy is separately organized under the Secretary of the Navy. It operates under the authority, direction, and control of the Secretary of Defense. It is composed of the executive part of the Department of the Navy; the Headquarters, United States Marine Corps; the entire operating forces, including naval aviation, of the United States Navy and of the United States Marine Corps, and the reserve components of those operating forces; and all shore activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Secretary of the Navy. It includes the United States Coast Guard when it is operating as a service in the Navy.

0104. The Principal Parts of the Department of the Navy.

1. Functionally, organizationally and geographically the Department of the Navy has from practically the beginning of the Federal Government under the Constitution consisted of three parts: the Operating Forces of the Navy, the Navy Department, and the Shore Establishment.

2. The OPERATING FORCES OF THE NAVY comprise the several fleets, sea-going forces, sea-frontier forces, district forces, Fleet Marine Forces, other assigned Marine Corps Forces, the Military Sealift Command, and other forces and activities that may be assigned thereto by the President or the Secretary of the Navy.

3. The NAVY DEPARTMENT refers to the central executive offices of the Department of the Navy located at the seat of the government. The Navy Department is organizationally comprised of the Office of the Secretary of the Navy, which includes his Civilian Executive Assistants, Offices of his Staff Assistants, and the headquarters organizations of the Office of Naval Research, the Office of the Judge Advocate General, and the Office of the Comptroller of the Navy; the Office of the Chief of Naval Operations, the Headquarters, United States Marine Corps; and, under the command of the Chief of Naval Operations, the Headquarters, Naval Material Command, and the headquarters organizations of the Bureau of Naval Personnel and the Bureau of Medicine and Surgery. In addition, the Headquarters, United States Coast Guard, is included when the United States Coast Guard is operating as a service in the Navy.

4. The SHORE ESTABLISHMENT is comprised of shore activities with defined missions approved for establishment by the Secretary of the Navy.

CHAPTER 2

THE SECRETARY OF THE NAVY

0201. Responsibilities of the Secretary of the Navy.

The Secretary of the Navy is the head of the Department of the Navy. Under the direction, authority, and control of the Secretary of Defense, he is responsible for the policies and control of the Department of the Navy, including its organization, administration, operation, and efficiency.

0202. Succession to Duties.

1. When there is a vacancy in the Office of the Secretary of the Navy, or during the absence or disability of the Secretary, the Under Secretary of the Navy, and, in the order prescribed by the Secretary of the Navy, the Assistant Secretaries of the Navy succeed to the duties of the Secretary. If the Secretary does not prescribe an order for succession to his duties, the Assistant Secretaries shall succeed to those duties after the Under Secretary in the order in which they took office as Assistant Secretaries.

2. During the temporary absence of the above officials, the Chief of Naval Operations or, in his absence, the Vice Chief of Naval Operations succeeds to the duties of the Secretary.

0203. The Civilian Executive Assistants.

1. The Civilian Executive Assistants to the Secretary of the Navy are the Under Secretary of the Navy and the Assistant Secretaries of the Navy and the Deputy Under Secretary of the Navy. It is the policy of the Secretary to assign Department-wide responsibilities essential to the efficient administration of the Department of the Navy to and among his Civilian Executive Assistants.

2. Each Civilian Executive Assistant, within his area of responsibility, is the principal adviser and assistant to the Secretary on the administration of the affairs of the Department of the Navy. In carrying out these duties, the Civilian Executive Assistants shall do so in harmony with the statutory position of the Chief of Naval Operations as "the principal naval adviser and naval executive to the Secretary on the conduct of activities of the Department of the Navy" and the responsibilities of the Chief of Naval Operations and the Commandant of the Marine Corps as set forth in these regulations. Each is authorized and directed to act for the Secretary within his assigned area of responsibility.

3. The Under Secretary of the Navy is designated as the deputy and principal assistant to the Secretary of the Navy, and acts with full authority of the Secretary in the general management of the Department of the Navy, and supervision of offices and organizations as assigned by the Secretary.

4. The Assistant Secretary of the Navy (Financial Management) is the Comptroller of the Navy, and is responsible for all matters related to the financial management of the Department of the Navy, including budgeting, accounting, disbursing, financing, progress and statistical reporting, auditing, management information systems, automatic data processing systems and equipment (less that integral to a weapons system), and supervision of offices and organizations as assigned by the Secretary. Under the Comptroller, the Deputy Comptroller of the Navy shall, in addition to his other duties, serve as an adviser and assistant to the Chief of Naval Operations and the Commandant of the Marine Corps with respect to financial and budgetary matters.

5. The Assistant Secretary of the Navy (Installations and Logistics) is responsible for all matters related to the procurement, production, supply, distribution, alteration, maintenance, and disposal of material; all transportation matters; the acquisition, construction, utilization, improvement, alteration, maintenance, and disposal of real estate and facilities, including capital equipment, utilities, housing, and public quarters; printing and publications; labor relations with respect to contractors with the Department of the Navy; industrial security; the Mutual Defense Assistance Program, as related to the supplying of material; and supervision of offices and organizations as assigned by the Secretary.

6. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) is responsible for the overall supervision of manpower and reserve component affairs of the Department of the Navy, including policy and administration of affairs related to military (active and inactive) and civilian personnel, and supervision of offices and organization as assigned by the Secretary.

7. The Assistant Secretary of the Navy (Research and Development) is responsible for all matters related to research, development, engineering, test, and evaluation efforts within the Department of the Navy, including management of the appropriation, "Research, Development, Test and Evaluation, Navy," and for oceanography, ocean engineering and closely related matters, and supervision of offices and organizations as assigned by the Secretary.

8. The Deputy Under Secretary of the Navy is responsible to the Secretary or Under Secretary for acting as a focal point and coordinator for the resolution of problems which require high-level special attention. He shall maintain a general awareness of actual or potential problems and issues and take steps to prevent their development or aggravation.

0204. The Staff Assistants.

The Staff Assistants to the Secretary of the Navy are the Administrative Officer, Navy Department; the General Counsel; the Director of Civilian Manpower Management; the Chief of Information; the Chief of Legislative Affairs; the Director, Office of Management Information; the Director, Office of Naval Petroleum and Oil Shale Reserves; the Director, Office of Program Appraisal; and the heads of such other offices and boards as may be established by law or by the Secretary for the purpose of assisting the Secretary or one or more of his Civilian Executive Assistants in the administration of the Department of the

Navy. Each of the foregoing shall supervise all functions and activities internal to his office and assigned shore activities, if any. Each shall be responsible to the Secretary or to one of his Civilian Executive Assistants for the utilization of resources by and the operating efficiency of all activities under his supervision. The duties of the individual Staff Assistants and their respective offices will be as provided by law or as assigned by the Secretary.

0205. The Chief of Naval Research, The Judge Advocate General, The Deputy Comptroller of the Navy.

The Chief of Naval Research shall command the Office of Naval Research and assigned shore activities. The Judge Advocate General shall command the Office of the Judge Advocate General and assigned shore activities. The Deputy Comptroller of the Navy shall command the Office of the Comptroller of the Navy and assigned shore activities. Each of them shall be responsible to the Secretary of the Navy or to one of his Civilian Executive Assistants, as assigned, for the utilization of resources by and the operating efficiency of all activities under their respective commands. The duties of the Chief of Naval Research, the Judge Advocate General, and the Comptroller of the Navy will be as provided by law or as assigned by the Secretary.

0206. Authority Over Organizational Matters.

Subject to the approval of the Secretary of the Navy or guidance hereafter furnished by him, the Civilian Executive Assistants, the Chief of Naval Operations, the Commandant of the Marine Corps, the Chief of Naval Research, the Judge Advocate General, the Deputy Comptroller of the Navy, and the Staff Assistants are individually authorized to organize, assign, and reassign responsibilities within their respective commands or offices in the organization of the Department of the Navy, including the establishment and disestablishment of such component organizations as may be necessary, subject to the following:

a. The authority to disestablish may not be exercised with respect to any organizational component of the Department established by law.

b. The Secretary retains unto himself the authority to approve the establishment of and disestablishment of shore activities, which will be done in accordance with procedures prescribed by him.

CHAPTER 3

THE CHIEF OF NAVAL OPERATIONS

0301. Senior Military Officer of the Department of the Navy.

1. The Chief of Naval Operations is the senior military officer of the Department of the Navy, and takes precedence above all other officers of the naval service, except an officer of the naval service who is serving as Chairman of the Joint Chiefs of Staff.

2. The Chief of Naval Operations is the principal naval adviser to the President and to the Secretary of the Navy on the conduct of war, and the principal naval adviser and naval executive to the Secretary on the conduct of the activities of the Department of the Navy.

3. The Chief of Naval Operations is the Navy member of the Joint Chiefs of Staff and is responsible for keeping the Secretary of the Navy fully informed on matters considered or acted upon by the Joint Chiefs of Staff. In this capacity, he is responsible, under the President and the Secretary of Defense, for duties external to the Department of the Navy, as prescribed by law.

0302. Succession to Duties.

The Vice Chief of Naval Operations, and then the officers of the Navy, eligible for command at sea, on duty in the office of the Chief of Naval Operations in the order of their seniority, shall, unless otherwise directed by the President, perform the duties of the Chief of Naval Operations during his absence, or disability, or in the event of a temporary vacancy in that office.

0303. Specific Authority and Duties of the Vice Chief of Naval Operations.

1. The Vice Chief of Naval Operations has such authority and duties with respect to the Department of the Navy as the Chief of Naval Operations, with the approval of the Secretary of the Navy, may delegate to or prescribe for him. Orders issued by the Vice Chief of Naval Operations in performing such duties have the same force and effect as those issued by the Chief of Naval Operations.

2. Orders issued by the Vice Chief of Naval Operations in performing other duties have the same force and effect as those issued by the Chief of Naval Operations.

0304. Authority and Responsibility.

1. Internal to the administration of the Department of the Navy, the Chief of Naval Operations, under the direction of the Secretary of the Navy, shall command the Operating Forces of the Navy. The Chief of Naval Operations shall also command the Naval Material Command, the Bureau of Naval Personnel, and the Bureau of Medicine and Surgery. In addition, he shall command such shore

activities as may be assigned to him by the Secretary. He shall be responsible to the Secretary for the utilization of resources by, and the operating efficiency of, all commands and activities under his command.

2. In addition, the Chief of Naval Operations has the following specific responsibilities:

a. To organize, train, equip, prepare, and maintain the readiness of Navy forces, including those for assignment to unified or specified commands for the performance of military missions as directed by the President, the Secretary of Defense, or the Joint Chiefs of Staff. Naval forces, when assigned to a unified or specified command, are under the full operational command of the commander to whom they are assigned.

b. To determine and direct the efforts necessary to fulfillment of current and future requirements of the Navy (less Fleet Marine Forces and other assigned Marine Corps forces) for manpower, material, weapons, facilities, and services, including the determination of quantities, military performance requirements, and times, places, and priorities of need.

c. To exercise leadership in maintaining a high degree of competence among Navy officer and enlisted and civilian personnel in necessary fields of specialization, through education, training, and equal opportunities for personal advancement, and maintaining the morale and motivation of Navy personnel and the prestige of a Navy career.

d. To plan and provide health care for personnel of the naval service and their dependents.

e. To direct the organization, administration, training, and support of the Naval Reserve.

f. To inspect and investigate components of the Department of the Navy to determine and maintain efficiency, discipline, readiness, effectiveness, and economy, except in those areas where such responsibility rests with the Commandant of the Marine Corps.

g. To determine the needs of naval forces and activities for research, development, test and evaluation; to plan and provide for the conduct of development, test, and evaluation which are adequate and responsive to long-range objectives, immediate requirements, and fiscal limitations; and to provide assistance to the Assistant Secretary of the Navy (Research and Development) in the direction, review, and appraisal of the overall Navy RDT&E Program to insure fulfillment of stated requirements.

h. To formulate Navy strategic plans and policies and participate in the formulation of joint and combined strategic plans and policies and related command relationships.

i. To budget for commands, bureaus, and offices assigned to the command of the Chief of Naval Operations, and other activities and programs as assigned, except as may be otherwise directed by the Secretary of the Navy.

3. The Chief of Naval Operations, under the direction of the Secretary of the Navy, shall (except for those areas wherein such responsibility rests with the Commandant of the Marine Corps) exercise overall authority throughout the Department of the Navy in matters related to the effectiveness of the support of the Operating Forces of the Navy, the coordination and direction of assigned Navy-wide programs and functions including those assigned by higher authority, the coordination of activities of the Department of the Navy in matters concerning effectiveness, efficiency, and economy, and matters essential to naval military administration, such as security, intelligence, discipline, communications, and matters related to the customs and traditions of the naval service.

0305. Naval Vessel Register, Classification of Naval Craft, and Status of Ships and Service Craft.

1. The Chief of Naval Operations shall be responsible for the Naval Vessel Register (except the Secretary of the Navy shall strike vessels from the Register) and the assignment of classification for administrative purposes to water-borne craft and the designation of status for each ship and service craft. The classification of water-borne craft and the status of ships and service craft are found in the glossary.

2. Commissioned vessels and craft shall be called "United States Ship——" or "U.S.S.——".

3. Civilian manned ships of the Military Sealift Command or other commands designated "active status, in service" shall be called "United States Naval Ship——" or "U.S.N.S.——".

4. The Chief of Naval Operations shall designate hospital ships and medical aircraft as he deems necessary. Such designation shall be in compliance with the Geneva Convention for the Amelioration of the Conditions of Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea of 12 August 1949 and he shall ensure compliance with the notice provisions of that Convention.

0306. The Chief of Naval Material.

The Chief of Naval Material, under the command of the Chief of Naval Operations, shall command the Naval Material Command. In addition to the tasks which may be assigned by the Chief of Naval Operations, he shall:

a. Provide direct staff assistance to the Secretary of the Navy and the Civilian Executive Assistants in matters pertaining to contracting, procurement, production and exploratory development, laboratories assigned to the Chief of Naval Material and to related matters. In these areas, the Chief of Naval Material shall inform the Chief of Naval Operations and, when appropriate, the Commandant of the Marine Corps in matters of policy and significant actions.

b. Be responsive directly to the Commandant of the Marine Corps in providing necessary planning and programming data requirements and in meeting those particular material support needs of the U. S. Marine Corps which are

required to be provided by the Naval Material Command.

c. Provide the Commandant of the Marine Corps with timely advice concerning training and technical requirements essential for the operation and maintenance by Marine Corps personnel of new equipment under development.

d. Be responsive to the heads of other organizations in meeting their material support needs which are provided by the Naval Material Command.

e. Provide guidance to Navy and Marine Corps Commands, as required, on functional areas related to Naval Material Command acquisition and logistics support responsibilities and other technical or professional matters as appropriate.

0307. The Chief of Naval Personnel and the Chief, Bureau of Medicine and Surgery.

The Chief of Naval Personnel, under the command of the Chief of Naval Operations, shall command the Bureau of Naval Personnel. The Chief, Bureau of Medicine and Surgery, (who is also the Surgeon General of the Navy), under the command of the Chief of Naval Operations, shall command the Bureau of Medicine and Surgery. In addition to the tasks which may be assigned by the Chief of Naval Operations, they shall:

a. Be responsive directly to the Commandant of the Marine Corps in meeting those particular needs of the United States Marine Corps which are required to be provided by their respective bureaus.

b. Be responsive to the heads of other organizations in meeting the particular needs of such organizations which are provided by the Chief of Naval Personnel and the Chief, Bureau of Medicine and Surgery.

0308. Naval Inspector General.

There is in the Office of the Chief of Naval Operations the Office of the Naval Inspector General. The Naval Inspector General, when directed, shall inquire into and report upon any matter which affects the discipline or military efficiency of the Department of the Navy; however, the Secretary of the Navy shall direct inquiry when such matters are related to the Marine Corps. He shall make such inspections, investigations, and reports as the Secretary or the Chief of Naval Operations directs. The Naval Inspector General shall periodically propose programs of inspections to the Chief of Naval Operations and shall recommend additional inspections or investigations as may appear appropriate.

0309. Commander In Chief U.S. Atlantic Fleet.

1. The Commander in Chief of U. S. Atlantic Fleet is a naval commander in chief of the Operating Forces of the Navy under the command of the Chief of Naval Operations. He shall command the U. S. Atlantic Fleet and is responsible for the administration, training, maintenance, support and readiness of the Atlantic Fleet, including those forces temporarily assigned to the operational command of other commanders.

2. The Commander in Chief U. S. Atlantic Fleet is a naval component commander of the unified command under the Commander in Chief, Atlantic.

3. The organization of the Atlantic Fleet, the forces assigned and their employment shall be as specified by the Chief of Naval Operations except for the employment of forces assigned to the operational command of unified and specified commanders.

0310. Commander In Chief U.S. Pacific Fleet.

1. The Commander in Chief U. S. Pacific Fleet is a naval commander in chief of the Operating Forces of the Navy under the command of the Chief of Naval Operations. He shall command the U. S. Pacific Fleet and is responsible for the administration, training, maintenance, support and readiness of the Pacific Fleet, including those forces temporarily assigned to the operational command of other commanders.

2. The Commander in Chief U. S. Pacific Fleet is a naval component commander of the unified command under the Commander in Chief, Pacific.

3. The organization of the Pacific Fleet, the forces assigned and their employment shall be as specified by the Chief of Naval Operations except for the employment of forces assigned to the operational command of unified and specified commanders.

0311. Commander In Chief U.S. Naval Forces, Europe.

1. The Commander in Chief U. S. Naval Forces, Europe is a naval commander in chief of the Operating Forces of the Navy under the command of the Chief of Naval Operations. He shall represent the Chief of Naval Operations for U. S. naval matters in the general areas of Europe, North Africa, and the Middle East. He shall command those forces assigned by the Chief of Naval Operations or by other naval commanders.

2. The Commander in Chief U. S. Naval Forces, Europe is the naval component commander of the unified command under the Commander in Chief, U. S. European Command.

0312. Commander, Military Sealift Command.

1. The Commander, Military Sealift Command is a naval commander of the Operating Forces of the Navy under the command of the Chief of Naval Operations. He shall provide ocean transportation for personnel and cargo of the Department of Defense (excluding that transported by units of the fleet) in accordance with policies and procedures of the Single Manager for Ocean Transportation (Secretary of the Navy) and the Secretary of Defense. He shall also operate ships in support of scientific projects and other programs for agencies or departments of the United States.

2. The Military Sealift Command shall operate and maintain government owned ships and augment operational capability by shipping cargo and passengers on commercially operated ships, chartering ships, and exercising operational control over ships activated from National Defense Reserve Fleet to meet emergency needs.

0313. Commander, Naval Intelligence Command.

The Commander, Naval Intelligence Command, under the command of the Chief of Naval Operations, shall be responsible for directing and managing the activities of the Naval Intelligence Command to insure fulfillment of the intelligence, counterintelligence, investigative, and security requirements of the Department of the Navy.

0314. Commander, Naval Communications Command.

The Commander, Naval Communications Command, under the command of the Chief of Naval Operations, shall exercise overall responsibility throughout the Department of the Navy for the coordination of the provision, operation, and maintenance of adequate and secure naval communications.

0315. Oceanographer of the Navy.

The Oceanographer of the Navy, under the command of the Chief of Naval Operations, shall act as the Naval Oceanographic Program Director under the policy direction of the Secretary of the Navy. He shall be responsible for an integrated and effective Naval Oceanographic Program and the management of all national oceanographic facilities and efforts assigned to the Department of the Navy.

0316. Commander, Naval Weather Service Command.

The Commander, Naval Weather Service Command, under the command of the Chief of Naval Operations, shall insure that Department of the Navy meteorological requirements and Department of Defense requirements for oceanographic analyses and forecasts are met. He shall provide technical guidance in meteorological matters throughout the naval service.

0317. Commander, Naval Security Group Command.

The Commander, Naval Security Group Command, under the command of the Chief of Naval Operations, shall be responsible for the provision, operation, and maintenance of an adequate Naval Security Group and shall perform cryptologic and related functions.

0318. Chief of Naval Training.

The Chief of Naval Training, under the command of the Chief of Naval Operations, shall be responsible for the training of Navy personnel, other than training assigned by the Chief of Naval Operations to other authorities, and for the training of Marine Corps aviation personnel.

0319. Chief of Naval Reserve

The Chief of Naval Reserve, under the command of the Chief of Naval Operations, shall be responsible for the administration of Naval Reserve programs, the management of Naval Reserve resources, and for logistic support of the Marine Corps air program.

0320. Commandants of Naval Districts.

1. The Commandants of Naval Districts, under the command of the Chief of Naval Operations, shall command assigned naval shore activities; exercise area coordination over all shore activities in the district; represent the Secretary of the Navy, the Chief of Naval Operations and other officials in such matters as may be assigned; execute responsibilities with respect to specified functions as assigned by Sea Frontier Commanders and Chief of Naval Reserve; administer Naval Reserve elements and naval reservists, as assigned; and coordinate public affairs matters throughout the district.

2. Naval districts within the continental United States are defined by statute (10 USC 5221).

0321. President, Board of Inspection and Survey.

The President of the Board of Inspection and Survey, assisted by such other officers and such permanent and semi-permanent sub-boards as may be designated by the Secretary of the Navy, shall:

a. Conduct acceptance trials and inspections of all ships and service craft prior to acceptance for naval service.

b. Conduct acceptance trials and inspections on one or more aircraft of each type or model prior to final acceptance for naval service.

c. Examine, at least once every three years, if practicable, each naval ship to determine its material condition and, if found unfit for continued service, report to higher authority.

d. Perform such other inspections and trials of naval ships, service craft, and aircraft as may be directed by the Chief of Naval Operations.

CHAPTER 4

THE COMMANDANT OF THE MARINE CORPS

0401. Senior Officer of the Marine Corps.

1. The Commandant of the Marine Corps is the senior officer of the United States Marine Corps.

2. While matters which directly concern the Marine Corps are under consideration by the Joint Chiefs of Staff, and with respect to such matters, the Commandant has coequal status with the members of the Joint Chiefs of Staff. He is responsible for keeping the Secretary of the Navy fully informed on these matters. In this capacity as a coequal member of the Joint Chiefs of Staff, he is responsible to the President and the Secretary of Defense for duties external to the Department of the Navy as prescribed by law.

0402. Succession to Duties.

The Assistant Commandant of the Marine Corps, and then the officers of the Marine Corps, not restricted in the performance of duty, on duty at the headquarters of the Marine Corps in the order of their seniority, shall, unless otherwise directed by the President, perform the duties of the Commandant of the Marine Corps during his absence, disability, or in the event of a temporary vacancy in that office.

0403. Authority and Responsibilities.

1. The Commandant of the Marine Corps, under the direction of the Secretary of the Navy, shall command the United States Marine Corps, which shall include Headquarters, United States Marine Corps; the Operating Forces of the Marine Corps; Marine Corps Supporting Establishments and the Marine Corps Reserve.

2. The Commandant of the Marine Corps advises the Secretary of the Navy on matters pertaining to the Marine Corps. He is directly responsible to the Secretary for the administration, discipline, internal organization, training, requirements, efficiency, and readiness of the Marine Corps; for the operation of the Marine Corps material support system; and the total performance of the Marine Corps. He shall command such shore activities as may be assigned by the Secretary, and is responsible to the Secretary for the utilization of resources by and the operating efficiency of all activities under his command. When performing these functions, the Commandant is not a part of the command structure of the Chief of Naval Operations. There must, however, be a close cooperative relationship between the Chief of Naval Operations, as the senior military officer of the Department of the Navy, and the Commandant, as the one having command responsibility over the Marine Corps.

3. The Commandant of the Marine Corps is directly responsible to the Chief of Naval Operations for the organization, training, and readiness of those elements of the Operating Forces of the Marine Corps assigned to the Operating Forces of the Navy. Such Marine Corps forces, when so assigned, are subject to the command exercised by the Chief of Naval Operations over the Operating Forces of the Navy. Likewise, members or organizations of the Navy, when assigned to the Marine Corps, are subject to the command of the Commandant of the Marine Corps.

0404. Specific Responsibilities.

In addition, the Commandant of the Marine Corps has the following specific responsibilities:

a. To plan for and determine the support needs of the Marine Corps for equipment, weapons or weapons systems, materials, supplies, facilities, maintenance, and supporting services. This responsibility includes the determination of Marine Corps characteristics of equipment and material to be procured or developed, and the training required to prepare Marine Corps personnel for combat. It also includes the operation of the Marine Corps Material Support System.

b. To budget for the Marine Corps, except as may be otherwise directed by the Secretary of the Navy.

c. To develop, in coordination with other military services, the doctrines, tactics, and equipment employed by landing forces in amphibious operations.

d. To formulate Marine Corps strategic plans and policies and participate in the formulation of joint and combined strategic plans and policies and related command relationships.

e. To plan for and determine the present and future needs, both quantitative and qualitative, for personnel, including reserve personnel and civilian personnel, of the United States Marine Corps. This includes responsibility for leadership in maintaining a high degree of competence among Marine Corps officer and enlisted personnel and Marine Corps civilian personnel in necessary fields of specialization through education, training, and equal opportunities for personal advancement; and for leadership in maintaining the morale and motivation of Marine Corps personnel and the prestige of a career in the Marine Corps.

f. To plan for and determine development requirements of the Marine Corps. To provide for the development, test, and evaluation of new weapon systems and equipment, to ensure that such are adequate and responsive to immediate and long-range objectives and are within available resources. To provide direct staff assistance to the Assistant Secretary of the Navy (Research and Development) in the direction, review, and appraisal of the overall USMC RDT&E Program.

g. To plan for and determine the needs for health care for personnel of the Marine Corps and their dependents.

0405. Composition of the Marine Corps.

1. The major components of the regular establishment of the Marine Corps

consist principally of the Headquarters of the Marine Corps, the Operating Forces, and the Supporting Establishment. In addition, there is another element of the Marine Corps, the Marine Corps Reserve.

2. The Operating Forces of the Marine Corps include the Fleet Marine Forces, detachments afloat, and security forces. There are two Fleet Marine Forces: Fleet Marine Force, Atlantic, and Fleet Marine Force, Pacific. These Fleet Marine Forces are assigned to, and are integral to, the U. S. fleets as part of the Operating Forces of the Navy.

3. The Supporting Establishment includes those Marine Corps facilities, such as Marine Corps schools, recruit depots, supply installations, bases, barracks, air stations and other miscellaneous small activities which train, maintain, and support the Operating Forces of the Marine Corps.

4. The Marine Corps Reserve has as its mission to provide a trained force of qualified officers and enlisted personnel to be available for active duty in the U. S. Marine Corps in time of war or national emergency.

0406. Relationships Between the Commandant of the Marine Corps and the Chief of Naval Material.

Formal operating relationships with respect to the efforts of determining needs and providing support between the Commandant of the Marine Corps and his organization and the Chief of Naval Material and his organization shall be governed by the following principles:

a. The Commandant of the Marine Corps shall express to the Chief of Naval Material those Marine Corps material needs which are to be provided by the Naval Material Command. With respect to the development of material items, the Commandant of the Marine Corps shall specify the military performance required to meet Marine Corps needs.

b. The Chief of Naval Material shall advise the Commandant of the Marine Corps as to the economic and technological feasibility of meeting such needs, and shall keep the Commandant informed of new capabilities to meet the needs of the Marine Corps which may or may not have been previously expressed. With respect to the development of material items, the Chief of Naval Material shall determine the technical effort necessary to satisfy the specified requirement.

c. The Commandant of the Marine Corps shall select the work to be done to satisfy the needs of the Marine Corps, based upon feasibility data and current estimates of the worth of a particular need in relation to other desirable needs, including, where necessary, the curtailment or cancellation of work already in progress in favor of work which offers greater promise or greater military worth.

d. The Chief of Naval Material shall exercise appropriate supervision over accomplishment of the work selected, and shall ensure that resources available to him are efficiently utilized in meeting Marine Corps needs.

e. Work being accomplished shall be reviewed concurrently by the Commandant of the Marine Corps from the viewpoint of readiness and military worth, and by the Chief of Naval Material from the viewpoint of progress and the efficient utilization of resources available to him.

0407. Serving With the Army by Order of the President.

1. When Marine Corps units are, by order of the President, detached for service with the Army, the Commandant of the Marine Corps is, for the time that the Marine Corps units are thus detached and for the purposes of administering the affairs of such units, responsible to the Secretary of the Army. The Commandant of the Marine Corps shall retain such control and jurisdiction over said detached forces as will enable him to make the necessary transfers of officers and men from and to the commands, and to exercise general supervision over all expenditures and supplies needed for the support of the Marine Corps forces so detached. He shall be responsible to the Secretary of the Army for the general efficiency and discipline of such units of the Marine Corps as are detached for service with the Army.

2. Official correspondence which relates exclusively to the routine business of the Marine Corps and does not involve questions of administrative responsibility under the supervision of the commanding officer of the combined forces, and which is not a matter of a military nature pertaining to an individual requiring the action of said commanding officer, shall be forwarded direct between the Headquarters of the Marine Corps and the senior Marine officer serving with the detached forces.

3. All official correspondence regarding the personnel of the Marine Corps units on duty with the Army shall be addressed to the proper representative of the Marine Corps and forwarded via the Adjutant General of the Army.

CHAPTER 5

THE UNITED STATES COAST GUARD
(WHEN OPERATING AS A SERVICE IN THE NAVY)

0501. Relationship and Operation as a Service in the Navy.

1. Upon declaration of war or when the President directs, the Coast Guard shall operate as a service in the Navy, and shall be subject to the orders of the Secretary of the Navy. While so operating as a service in the Navy and to the extent practicable Coast Guard operations shall be integrated and uniform with Navy operations.

2. Whenever the Coast Guard operates as a service in the Navy:

a. Applicable appropriations of the Coast Guard to cover expenses shall be available for transfer to the Department of the Navy and supplemented, as required, from applicable appropriations of the Department of the Navy.

b. Personnel of the Coast Guard shall be eligible to receive gratuities, medals, and other insignia of honor on the same basis as personnel in the naval service or serving in any capacity with the Navy.

0502. Commandant of the Coast Guard.

1. The Commandant of the Coast Guard is the senior officer of the United States Coast Guard.

2. When reporting in accordance with Section 3, Title 14, U. S. Code to the Secretary of the Navy, the Commandant of the Coast Guard will further report to the Chief of Naval Operations for military functions. The Chief of Naval Operations shall represent the Coast Guard as a member of the Joint Chiefs of Staff.

0503. Duties and Responsibilities.

In exercising command over the Coast Guard while operating as a service of the Navy, the Commandant shall:

a. Organize, train, prepare and maintain the readiness of the Coast Guard to function as a specialized service in the Navy for the performance of military missions, as directed.

b. Plan for and determine the present and future needs of the Coast Guard, both quantitative and qualitative, for personnel, including reserve personnel.

c. Budget for the Coast Guard, except as may be otherwise directed by the Secretary of the Navy.

d. Plan for and determine the support needs of the Coast Guard for equipment, materials, weapons or weapons systems, supplies, facilities, maintenance, and supporting services.

e. Exercise essential military administration of the Coast Guard. This includes, but is not limited to, such matters as security, discipline, intelligence, communications, personnel records and accounting conforming, as practicable, to Navy procedures.

f. Enforce or assist in enforcing Federal laws on the high seas and on waters subject to the jurisdiction of the United States.

g. Administer, promulgate and enforce regulations for the promotion of safety of life and property on the high seas and on waters subject to the jurisdiction of the United States. This applies to those matters not specifically delegated by law to some other executive department.

h. Develop, establish, maintain and operate, with due regard to the requirements of national defense, aids to maritime navigation, ice breaking facilities, and rescue facilities for the promotion of safety on and over the high seas and waters subject to the jurisdiction of the United States.

i. Engage in oceanographic research on the high seas and in waters subject to the jurisdiction of the United States in coordination with the Office of the Oceanographer of the Navy.

j. Continue in effect under the Secretary of the Navy those other functions, powers and duties vested in him by appropriate orders and regulations of the Secretary of Transportation on the day prior to the effective date of transfer of the Coast Guard to the Department of the Navy until specifically modified or terminated by the Secretary of the Navy.

CHAPTER 6

COMMANDERS IN CHIEF AND OTHER COMMANDERS

0601. Titles of Commanders.

1. The commander of a principal organization of the Operating Forces of the Navy, as determined by the Chief of Naval Operations, or the officer who has succeeded to such command as provided elsewhere in these regulations, shall have the title "Commander in Chief." The name of the organization under his command shall be added to form his official title.

2. The commander of each other organization of units of the Operating Forces of the Navy, or organization of units of shore activities, shall have the title "Commander," "Commandant," "Commanding General," or other appropriate title. The name of the organization under his command shall be added to form his official title.

0602. Responsibility and Authority of a Commander.

1. A commander shall be responsible for the satisfactory accomplishment of the mission and duties assigned to his command. His authority shall be commensurate with his responsibilities. Normally, he shall exercise authority through his immediate subordinate commanders; but he may communicate directly with any of his subordinates.

2. A commander shall insure that subordinate commands are fully aware of the importance of strong, dynamic leadership and its relationship to the overall efficiency and readiness of naval forces. A commander shall exercise positive leadership and actively develop the highest qualities of leadership in persons with positions of authority and responsibility throughout his command.

3. Subject to orders of higher authority, a commander shall issue such regulations and instructions as may be necessary for the proper administration and operation of his command.

4. A commander shall bear the same relationship to his flagship, or to a shore activity of his command in which his headquarters may be located, in regard to its internal administration and discipline, as to any other ship or shore activity of his command.

0603. To Announce Assumption of Command.

Upon assuming command, a commander shall so advise appropriate superiors, and the units of his command. When appropriate to his command he shall also advise the senior commanders of other United States armed services and officials of other Federal agencies and foreign governments located within the area encompassed by his command, concerning his assumption of command.

0604. Readiness.

A commander shall take all practicable steps to maintain his command in a state of readiness to perform its mission. In conformity with the orders and policies of higher authority, he shall:

1. Organize the forces and resources under his command and assign duties to his principal subordinate commanders.

2. Prepare plans for the employment of his forces to meet existing and foreseeable situations.

3. Collaborate with the commanders of other United States armed services and with appropriate officials of other Federal agencies and foreign governments located within the area encompassed by his command.

4. Maintain effective intelligence and keep himself informed of the political and military aspects of the national and international situation.

5. Make, or cause to be made, such inspections as necessary to ensure the readiness, effectiveness, and efficiency of the components of his command.

0605. Observance of International Law.

At all times a commander shall observe, and require his command to observe, the principles of international law. Where necessary to fullfillment of this responsibility, a departure from other provisions of Navy Regulations is authorized.

0606. Keeping Immediate Superior Informed.

A commander shall keep his immediate superior appropriately informed of:

1. The organization of his command, the prospective and actual movements of the units of his command, and the location of his headquarters.

2. Plans for employment of his forces.

3. The condition of his command and of any required action pertaining thereto which is beyond his capacity or authority.

4. Intelligence information which may be of value.

5. Any battle, engagement, or other significant action, involving units of his command.

6. Any important service or duty performed by persons or units of his command.

7. Unexecuted orders and matters of interest upon being relieved of command.

0607. Organization of a Staff.

1. The term "staff" shall be construed to mean those officers and other designated persons assigned to a commander to assist him in the administration and operation of his command.

2. The officer detailed as chief of staff and aide to a fleet admiral or admiral normally shall be a vice admiral or a rear admiral. The officer detailed as chief of staff and aide to a vice admiral or rear admiral shall normally be a rear admiral or a captain. The detailing of a vice commander or a deputy to a commander shall be reserved for selected commanders. An officer detailed as chief staff officer to another officer shall normally not be of the same grade.

3. The staff shall be organized into such divisions as may be prescribed by the commander concerned or by higher authority. These divisions shall conform in nature and designation, as practicable and as appropriate, to those of the staffs of superiors.

4. The staff of a flag or general officer may include one or more personal aides.

0608. Authority and Responsibilities of Officers of a Staff.

1. The chief of staff and aide or chief staff officer, under the commander, shall be responsible for supervising and coordinating the work of the staff and shall be kept informed of all matters pertaining to that work. All persons attached to the staff, except a vice commander or deputy responsible directly to the commander, shall be subordinate to the chief of staff and aide or chief staff officer while he is executing the duties of his office.

2. The officers of a staff shall be responsible for the performance of those duties assigned to them by the commander and shall advise him on all matters pertaining thereto. In the performance of their staff duties they shall have no command authority of their own. In carrying out such duties, they shall act for, and in the name of, the commander.

0609. Administration and Discipline - Staff Embarked.

In matters of general discipline, the staff of a commander embarked and all enlisted persons serving with the staff shall be subject to the internal regulations and routine of the ship. They shall be assigned regular stations for battle and emergencies. Enlisted persons serving with the staff shall be assigned to the ship for administration and discipline, except in the case of staffs embarked for passage only, and provided in that case that an organization exists and is authorized to act for such purposes.

0610. Administration and Discipline - Staff Based Ashore.

When a staff is based ashore the enlisted persons serving with the staff shall, when practicable, be assigned to an appropriate activity for purposes of administration and discipline. The staff officers may be similarly assigned. Members of a staff assigned for any purpose to a command or activity shall conform in matters of general discipline to the internal regulations and routine of the command or activity.

0611. Administration and Discipline - Staff Unassigned to an Administrative Command.

1. When it is not practicable to assign enlisted persons serving with the staff of a commander to an established activity for administration and discipline, the commander may designate an officer of his staff to act as the commanding officer of such persons and shall notify the Judge Advocate General and the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, of his action.

2. If the designating commander desires the commanding officer of staff enlisted personnel to possess authority to convene courts-martial, he should request the Judge Advocate General to obtain such authorization from the Secretary of the Navy.

0612. Administration and Discipline - Separate and Detached Command.

Any flag or general officer in command, any officer authorized to convene general courts-martial, or the senior officer present may designate organizations which are separate or detached commands. Such officer shall state in writing that it is a separate or detached command and shall inform the Judge Advocate General of the action taken. If authority to convene courts-martial is desired for the commanding officer or officer in charge of such separate or detached command, the officer designating the organization as separate or detached shall request the Judge Advocate General to obtain authorization from the Secretary of the Navy.

CHAPTER 7

THE COMMANDING OFFICER

0701. Applicability.

In addition to commanding officers, the provisions of this chapter shall apply, where pertinent, to aircraft commanders, officers in charge (including warrant officers and petty officers when so detailed) and those persons standing the command duty.

0702. Responsibility.

1. The responsibility of the commanding officer for his command is absolute, except when, and to the extent, relieved therefrom by competent authority, or as provided otherwise in these regulations. The authority of the commanding officer is commensurate with his responsibility. While he may, at his discretion, and when not contrary to law or regulations, delegate authority to his subordinates for the execution of details, such delegation of authority shall in no way relieve the commanding officer of his continued responsibility for the safety, well-being, and efficiency of his entire command.

2. A commanding officer who departs from his orders or instructions, or takes official action which is not in accordance with such orders or instructions, does so upon his own responsibility and shall report immediately the circumstances to the officer from whom the prior orders or instructions were received.

3. The commanding officer shall be responsible for economy within his command. To this end he shall require from his subordinates a rigid compliance with the regulations governing the receipt, accounting, and expenditure of public money and materials, and the implementation of improved management techniques and procedures.

4. The commanding officer and his subordinates shall exercise leadership through personal example, moral responsibility, and judicious attention to the welfare of persons under their control or supervision. Such leadership shall be exercised in order to achieve a positive, dominant influence on the performance of persons in the Department of the Navy.

0703. Presence of Officer Eligible to Command.

1. Except as otherwise provided herein or otherwise authorized by the Chief of Naval Operations or the Commandant of the Marine Corps, as appropriate, at least one officer, either in command or eligible to succeed to command, shall be present and ready for duty at each command (activity, unit, or office). In the absence of the commanding officer or the executive officer, or both, their duties shall devolve upon the officer next in rank and eligible to succeed to command who is attached to and present in the command. An officer detailed for a day's duty for the purpose of assuming the commanding officer's duties in his absence shall be known as the Command Duty Officer. Upon request of the officer senior in rank, eligible to succeed to command, who is attached to and present in the command, the Command Duty Officer shall defer to him. An officer who succeeds to command or is detailed to assume the commanding officer's duties during his temporary absence shall make no changes in the existing organization and shall endeavor to have the routine and other affairs of the command carried on in the usual manner.

2. A superior, of flag or general grade, shall govern the presence of the officer in command or officer or officers eligible to succeed to command and ready for duty at each command or unit of the Operating Forces of the Navy and the Operating Forces of the Marine Corps. The commanding officer may under criteria or conditions prescribed by a superior of flag or general grade, assign officers not eligible to succeed to command and qualified enlisted men to serve as the Command Duty Officer.

3. Superiors shall determine the need and govern the presence of the officer in command or an officer or officers eligible to succeed to command and ready for duty at commands, offices, or activities not of the Operating Forces of the Navy and not of the Operating Forces of the Marine Corps. Under conditions prescribed by a superior, officers not eligible to command and qualified enlisted men may be assigned a day's command duty.

0704. Organization of Commands.

All commands and other activities of the Department of the Navy shall be organized and administered in accordance with law, the Navy Regulations, and the orders of competent authority, and all orders and instructions of the commanding officer shall be in accordance therewith.

0705. Effective Organized Force Always Present.

Under no circumstances shall any ship or station be left without an organized force that will be effective in any emergency, and consistent with existing requirements, capable of ensuring satisfactory operation.

0706. Relationship With Executive Officer.

The commanding officer shall keep the executive officer informed of his policies and normally shall issue all orders relative to the duties of the command through that officer. Normally, the commanding officer shall require that all communications of an official nature from subordinates to the commanding officer be transmitted through the executive officer.

0707. Relieving Procedures.

1. A commanding officer about to be relieved of his command shall:

a. Inspect the command in company with his successor before the transfer is effected.

b. In the case of a ship, and within other commands where appropriate, cause the crew to be exercised in his presence and in the presence of his relief at general quarters and general drills, unless conditions render it impracticable or inadvisable.

c. Point out defects and peculiarities of the command and account for them to his relief.

d. Deliver to his relief all unexecuted orders, all regulations and orders in force, and all official correspondence and information concerning the command and the personnel thereof as may be of service to his relief. He shall not remove the original records of his official correspondence, original letters, documents, or papers concerning the command and personnel thereof, but he may retain authenticated copies thereof.

e. Deliver to his relief all documents required by these regulations to be either kept or supervised by the commanding officer. If a Navy post office is established within the command, he shall deliver to his relief a current audit of postal accounts and effects.

f. Deliver all magazine and other keys in his custody to his relief.

g. Cause an inventory and audit to be taken of all registered publications charged to the command, in accordance with the provisions of the Registered Publications Manual.

h. Submit reports of fitness of officers and sign all log books, journals, and other documents requiring his signature up to the date of his relief.

i. At the time of turning over command call all hands to muster. The officer about to be relieved shall read his orders of detachment and turn over the command to his successor, who shall read his orders and assume command. At shore activities this procedure may be modified as appropriate.

2. The officer relieved, although without authority after turning over the command, is, until his final departure, entitled to all the ceremonies and distinctions accorded him while in command.

3. The accomplishment of a normal, routine transfer of command shall be reported by the officer who assumes command. For a command of the Operating Forces of the Navy, the report shall be addressed to the immediate superior with copies to the fleet commander in chief and intermediate superiors. For a command not of the Operating Forces of the Navy, the report shall be addressed to the immediate superior with copies to other superiors as appropriate.

4. A report of a transfer of command that contains statements indicating the possible existence of unsatisfactory conditions, or adverse comments with respect to the state of readiness of the command, or its ability to perform its assigned mission, or any other non-routine information of direct concern to higher authority, shall contain the opinion of the succeeding officer in regard thereto, and such explanation by endorsement as the officer being relieved may deem necessary. For a command of the Operating Forces of the Navy the report shall be addressed to the Chief of Naval Operations via the chain of command with a copy direct to the commander in chief of the fleet concerned. For a command not of the Operating Forces of the Navy the report shall be addressed to immediate superior with copies direct to appropriate commands, bureaus, or offices as may have a direct interest. A copy shall be retained by each of the officers between whom the transfer of command takes place.

5. When an officer detailed as commanding officer reports to a command having no regularly detailed commanding officer, the procedure prescribed in the preceding paragraphs of this article shall be followed, insofar as is consistent with the circumstances.

0708. Inspections, Muster, and Sighting of Personnel.

1. The commanding officer shall hold periodic inspections of the material of the command, not on weekends or holidays, to determine deficiencies and cleanliness. When the size of the command precludes completion of the inspection in a reasonable time, he shall designate zones to be inspected by heads of departments or other responsible officers, and he shall inspect at least one zone, alternating his zone(s) in order that he inspects the entire command at minimum intervals.

2. The commanding officer shall ensure that, consistent with their employment, the personnel under his command present at all times a neat, clean and military appearance. To assist in attaining this standard of appearance he shall, in the absence of operational exigency, hold periodic personnel inspections. Saturday inspections may be held at sea and, in port and ashore, with personnel in duty status as participants. Otherwise, inspections shall not be held on weekends or holidays.

3. Quarters or formations are for the purpose of ceremony, inspection, muster, instruction, or passing of orders and should be reserved for those occasions when purpose cannot otherwise be achieved.

4. The commanding officer shall require a daily report of all persons confined, a statement of their offenses, and the dates of their confinement and release.

5. The presence of all persons attached to the command shall be accounted for daily. Persons who have not been sighted by a responsible senior shall be reported absent.

6. The prohibitions concerning weekend or holiday inspections do not apply to commands engaged in training reservists, and, to other commands with the consent of a superior.

0709. Unauthorized Persons on Board.

The commanding officer shall satisfy himself that there is no unauthorized person on board before proceeding to sea or commencing a flight.

0710. Control of Passengers.

1. Control of passage in and protracted visits to aircraft and ships of the Navy by all persons, within or without the Department of the Navy, shall be exercised by the Chief of Naval Operations.

2. Nothing in this article shall be interpreted as prohibiting the senior officer present from authorizing the passage in ships and aircraft of the Navy by such persons as he judges necessary in the public interest or in the interest of humanity. The senior officer present shall report the circumstances to the Chief of Naval Operations when he gives such authorization.

0711. Authority Over Passengers.

Except as otherwise provided in these regulations or in orders from competent authority, all passengers in a ship or aircraft of the naval service are subject to the authority of the commanding officer and shall conform to the internal regulations and routine of the ship or aircraft. The commanding officer of such ship or aircraft shall take no disciplinary action against a passenger not in the naval service, other than that authorized by law; but he may, when he deems such action to be necessary for the safety of the ship or aircraft or of any person embarked, subject a passenger not in the naval service to such restraint as the circumstances require until such time as delivery to the proper authorities is possible. A report of the matter shall be made to an appropriate superior of the passenger.

0712. Relations With Organizations and Military Personnel Embarked for Passage.

1. Personnel of the naval service, and other United States armed forces or services, and foreign armed forces are subject to the orders of the commanding officer of the ship or aircraft commander. The provisions of this article shall be applied to organizations and personnel of foreign armed forces, insofar as is feasible, with regard for their customs and traditions.

2. The commanding officer of the ship or the aircraft commander shall respect the identity and integrity of organizational units; and

a. Shall have all orders to personnel given through their respective chains of command insofar as practicable.

b. Shall require that personnel wear the uniform which corresponds as nearly as practicable to the uniform prescribed for ship's company.

c. May require enlisted persons to perform their proportionate share of mess, watch, police, and guard duty whenever he deems it advisable to divide those duties among personnel on board.

d. May require personnel, when in his opinion an emergency exists, to perform such duties as their special knowledge and skill may enable them to perform.

e. Has the power and authority to order an offender placed in naval or military custody as he considers desirable, but in all cases where the offender is to be disembarked for disciplinary action by military authority, he shall be placed in military custody on board the ship or aircraft, if practicable.

3. The foregoing provisions of this article also apply to the Commanding Officer, Military Department, of an in-service ship of the Military Sealift Command, who is authorized to exercise the powers conferred thereby, subject to the paramount authority of the master.

4. When an organized unit is embarked for transportation only in a ship of the Navy, the officer in command of such organized unit shall retain the authority which he possessed over such unit prior to embarkation, including the power to order special or summary courts-martial upon enlisted persons under his command; but nothing in this paragraph shall be construed as impairing the paramount authority of the commanding officer of the ship over all persons embarked therein.

0713. Persons Found Under Incriminating Circumstances.

1. The commanding officer shall keep under restraint or surveillance, as necessary, any person not in the armed services of the United States who is found under incriminating or irregular circumstances within the command, and shall immediately initiate an investigation.

2. Should an investigation indicate that such person is not a fugitive from justice or has not committed or attempted to commit an offense, he shall be released at the earliest opportunity, except:

a. If not a citizen of the United States, and the place of release is under the jurisdiction of the United States, the nearest Federal immigration authorities shall be notified as to the time and place of release sufficiently in advance to permit them to take such steps as they deem appropriate.

b. Such persons shall not be released in territory not under the jurisdiction of the United States without first obtaining the consent of the proper foreign authorities, except where the investigation shows that he entered the command from territory of the foreign state, or that he is a citizen or subject of that state.

3. If the investigation indicates that such person has committed or attempted to commit an offense punishable under the authority of the commanding officer, the latter shall take such action as he deems necessary.

4. If the investigation indicates that such a person is a fugitive from justice, or has committed or attempted to commit an offense which requires actions beyond the authority of the commanding officer, he shall, at the first opportunity, deliver such person, with full descriptive data,

fingerprints, and a statement of the circumstances to the proper civil authorities.

5. A report shall be made promptly to the Secretary of the Navy, in all cases under paragraph 4 of this article, and in other cases where appropriate.

0714. Rules for Visits.

1. Commanding officers are responsible for the control of visitors to their commands and shall comply with the relevant provisions of the Department of the Navy Security Manual for Classified Information and other pertinent directives.

2. Commanding officers shall take such measures and impose restrictions on visitors as necessary to safeguard the classified material under their jurisdiction. Arrangements for general visiting shall always be based on the assumption that foreign agents will be among the visitors.

3. Commanding officers and others officially concerned shall exercise reasonable care to safeguard the persons and property of visitors to naval activities as well as taking those necessary precautions to safeguard the persons and property within his command.

0715. Dealers, Tradesmen, and Agents.

1. In general, dealers or tradesmen or their agents shall not be admitted within a command, except as authorized by the commanding officer:

a. To conduct public business.

b. To transact specific private business with individuals at the request of the latter.

c. To furnish services and supplies which are necessary and are not otherwise, or are insufficiently, available to the personnel of the command.

2. Personal commercial solicitation and the conduct of commercial transactions are governed by policies of Department of Defense.

0716. Marriages on Board.

The commanding officer shall not perform a marriage ceremony on board his ship or aircraft. He shall not permit a marriage ceremony to be performed on board when the ship or aircraft is outside the territory of the United States, except:

a. In accordance with local laws and the laws of the state, territory, or district in which the parties are domiciled, and

b. In the presence of a diplomatic or consular official of the United States, who has consented to issue the certificates and make the returns required by the consular regulations.

0717. Postal Matters.

Commanding officers shall ensure that mail and postal funds are administered in accordance with instructions issued by the Postmaster General and approved for the naval service by the Chief of Naval Operations, and instructions issued by the Chief of Naval Operations or the Chief of Naval Personnel or the Commandant of the Marine Corps as appropriate; and that postal clerks or other persons authorized to handle mail perform their duties strictly in accordance with those instructions.

0718. Safeguarding Official Funds.

In the event of the death, unauthorized absence, or mental incapacity as determined by the commanding officer on advice of a medical officer, of a person charged with pecuniary responsibility for official funds or Government property, or if it is necessary to relieve him for any cause, including arrest or suspension, the commanding officer shall take immediate steps to safeguard such funds or property in accordance with the procedures prescribed by the Comptroller of the Navy and other competent authority.

0719. Deficit or Excess of Public Money or Property.

1. In all cases involving a deficit or excess of public money in the custody of a person under his command, except in those cases where adjustments in accounting are authorized by the Secretary of the Navy, the commanding officer shall immediately:

a. Request investigation by the Naval Investigative Service, other military agencies, or other Federal authority, if the circumstances warrant.

b. Notify the Navy Accounting and Finance Center, the Chief of Naval Operations and Commander, Naval Supply Systems Command or the Commandant of the Marine Corps as appropriate, and appropriate superiors.

c. Recommend or convene a Judge Advocate General Manual investigation or a court of inquiry to determine the facts.

2. Judge Advocate General Manual investigations and courts of inquiry in these cases shall include in the records of their proceedings the testimony of such investigators as may have been employed in each case, and shall render an opinion as to whether or not there exist indications of criminal guilt on the part of the custodians of the money or of other persons.

3. In cases involving a deficit or excess of public property, similiar action shall be taken or, when appropriate, the commanding officer shall cause a survey to be made.

0720. Deaths.

The commanding officer, in the event of death of any person within his command, shall ensure that the cause of death and the circumstances under which death occurred are established, and the appropriate casualty report is submitted.

0721. The American National Red Cross.

1. Pursuant to the request of the Secretary of the Navy and subject to such instructions as he may issue, the American National Red Cross is authorized to conduct a program of welfare, including social, financial, and medical and dental aid, for naval personnel; to assist in matters pertaining to prisoners of war; and to provide such other services as are appropriate functions for the Red Cross. The American National Red Cross is the only volunteer society authorized by the Government to render medical and dental aid to the armed forces of the United States. Other organizations desiring to render medical and dental aid may do so only through the Red Cross.

2. Requests for Red Cross services shall be made to the Chief of Naval Personnel or the Commandant of the Marine Corps or, in the case of medical services, to the Chief, Bureau of Medicine and Surgery.

3. Activities and personnel of the American National Red Cross in areas subject to naval jurisdiction shall conform to such administrative regulations as may be prescribed by appropriate naval authority.

4. Red Cross personnel shall be considered to have the status of commissioned officers, subject to such restrictions as may be imposed by the Chief of Naval Personnel or the Commandant of the Marine Corps.

0722. Observance of Sunday.

1. Except by reason of necessity or in the interest of the welfare and morale of the command, the performance of work shall not be required on Sunday. Except by reason of necessity, ships shall not be sailed nor units of aircraft or troops be deployed on Sunday. The provisions of this paragraph need not apply to commands engaged in training reserve components of the Navy and the Marine Corps.

2. Divine services shall be conducted on Sunday if possible. All assistance and encouragement shall be given to chaplains in the conduct of these services, and music shall be made available, if practicable. The chaplain shall be permitted to conduct public worship according to the manner and forms of the church of which he is a member. A suitable space shall be designated and properly rigged for the occasion, and quiet shall be maintained throughout the vicinity during divine services. The religious preferences and the varying religious needs of individuals shall be recognized, respected, encouraged, and ministered to as practicable. Daily routine in ships and activities shall be modified on Sunday as practicable to achieve this end.

3. When there is no chaplain attached to the command, the commanding officer shall engage the services of any naval or military chaplain who may be available; or, failing in this, shall, when practicable, invite and may remunerate a civilian clergyman to conduct religious services. Services led by laymen are encouraged. Provision shall be made for sending and receiving church parties as appropriate and practicable.

0723. Publishing and Posting Orders and Regulations.

1. In accordance with Article 137 of the Uniform Code of Military Justice the articles specifically enumerated therein shall be carefully explained to each enlisted person:

a. At the time of entrance on active duty or within six (6) days thereafter,

b. Again, after completion of six months active duty; and

c. Again, upon the occasion of each reenlistment.

2. A text of the articles specifically enumerated in Article 137 of the Uniform Code of Military Justice shall be posted in a conspicuous place or places, readily accessible to all personnel of the command.

3. Instructions concerning the Uniform Code of Military Justice and appropriate articles of Navy Regulations shall be included in the training and educational program of the command.

4. Such general orders, orders from higher authority and other matters which the commanding officer considers of interest to the personnel or profitable for them to know shall be published to the command as soon as practicable. Such matters shall also be posted in whole or in part, in a conspicuous place or places readily accessible to personnel of the command.

5. Upon the request of any person on active duty in the armed services, the following publications shall be made available for his personal examination:

a. A complete text of the Uniform Code of Military Justice,

b. Manual for Courts-Martial,

c. Navy Regulations,

d. Manual of the Judge Advocate General,

e. Marine Corps Manual (for Marine Corps personnel),

f. Manual of the Bureau of Naval Personnel (for Navy personnel), or Marine Corps Personnel Manual (for Marine Corps personnel).

0724. Maintenance of Logs.

1. A deck log and an engineering log shall be maintained by each ship in

commission, and by such other ships and craft as may be designated by the Chief of Naval Operations.

2. A quartermaster's notebook and a magnetic compass record shall be maintained as adjuncts to the deck log. An engineer's bell book shall be maintained as an adjunct to the engineering log.

3. The Chief of Naval Operations shall prescribe regulations governing the contents and preparation of the deck and engineering logs and adjunct records.

0725. Status of Logs.

The deck log, the engineering log, the quartermaster's notebook, the magnetic compass record, and the engineer's bell book shall each constitute an official record of the command.

0726. Records.

The commanding officer shall require that records relative to personnel, material, and operations as required by current instructions are maintained properly by those responsible therefor.

0727. Welfare of Personnel.

The commanding officer shall:

a. Use all proper means to foster high morale, and to develop and strengthen the moral and spiritual well-being of the personnel under his command, and ensure that chaplains are provided the necessary logistic support for carrying out the command's religious program.

b. Maintain a satisfactory state of health and physical fitness of the personnel under his command.

c. Afford an opportunity, with reasonable restrictions as to time and place, for the personnel under his command to make requests, reports, or statements to him, and shall ensure that they understand the procedures for making such requests, reports, or statements.

d. Ensure that noteworthy performances of duty of personnel under his command receive timely and appropriate recognition and that suitable notations are entered in the official records of the individuals.

e. Ensure that timely advancement in rating of enlisted persons is effected in accordance with existing instructions.

0728. Training and Education.

The commanding officer shall:

a. Endeavor to increase the specialized and general professional knowledge of the personnel under his command by the frequent conduct of drills, classes, and instructions, and by the utilization of appropriate fleet and service schools.

b. Encourage and provide assistance and facilities to the personnel under his command who seek to further their education in professional or other subjects.

c. Afford frequent opportunities to the executive officer, and to other officers of the ship as practicable, to improve their skill in ship handling.

d. Require those lieutenants (junior grade) and first lieutenants who have less than two years commissioned or warrant service, and all ensigns and second lieutenants:

(1) To comply with the provisions prescribed for their instruction by the Chief of Naval Operations, the Commandant of the Marine Corps, or other appropriate authorities.

(2) To receive appropriate practical instruction, as the commanding officer deems advisable and to be detailed to as many duties successively as may be practicable.

e. When practicable, designate a senior officer or officers to act as advisers to junior officers. These senior officers shall assist junior officers to a proper understanding of their responsibilities and duties, and shall endeavor to cultivate in them officer-like qualities, a sense of loyalty and honor, and an appreciation of naval customs and professional ethics.

0729. Delivery of Personnel to Civil Authorities and Service of Subpoena or Other Process.

1. Commanding officers or other persons in authority shall not deliver any person in the naval service to civil authorities except as provided by the Manual of the Judge Advocate General.

2. Commanding officers are authorized to permit the service of subpoena or other process as provided by the Manual of the Judge Advocate General.

0730. Delivery of Orders to Personnel.

The commanding officer shall not withold any orders or other communications received from higher authority for any person under his command, except for good and sufficient reasons, which he shall at once report to such higher authority. Communications of a personal nature may be withheld by a commanding officer for good reason until completion of mission or duty.

0731. Use and Transportation of Marijuana, Narcotics, and Drugs.

1. The commanding officer shall conduct a rigorous program to prevent the illegal introduction, transfer, possession or use of marijuana, narcotics, or other controlled substances as defined in these regulations. The program shall include publicity and instruction covering:

a. The dangers involved in drug abuse,

b. The Federal, state, and local criminal liabilities which may result from introduction, possession, transfer, or use, including penalties under the Uniform Code of Military Justice, and other foreign law to which individuals may be subjected.

c. The administrative measures, including discharge under other than honorable conditions, which may result.

2. The commanding officer shall exercise utmost diligence in preventing illegal importation of marijuana, narcotics, or other controlled substances on board his command.

0732. Safety Precautions.

The commanding officer shall require that persons concerned are instructed and drilled in all applicable safety precautions and procedures, that these are complied with, and that applicable safety precautions, or extracts therefrom, are posted in appropriate places. In any instance where safety precautions have not been issued or are incomplete, he shall issue or augment such safety precautions as he deems necessary, notifying, when appropriate, higher authorities concerned.

0733. Responsibility of a Master of an In-Service Ship of the Military Sealift Command.

In an in-service ship of the Military Sealift Command, the master is responsible for the safety of his ship and all persons on board. He is responsible for the safe navigation and technical operation of his ship and has paramount authority over all persons on board. The master is responsible for the preparation of the abandon ship bill and has exclusive authority to order the ship abandoned. He has full authority to enforce appropriate laws of the United States and all applicable orders and regulations of the Navy, Military Sealift Command, and the Civil Service Commission.

0734. Relations With Merchant Seamen.

When in foreign waters, the commanding officer, with the approval of the senior officer present, may receive on board as supernumeraries for rations and passage:

1. Distressed seamen of the United States for passage to the United States, provided they bind themselves to be amenable in all respects to Navy Regulations.

2. As prisoners, seamen from merchant vessels of the United States, provided that the witnesses necessary to substantiate the charges against them are received, or adequate means adopted to ensure the presence of such witnesses on arrival of the prisoners at the place where they are to be delivered to the civil authorities.

0735. Security of Magazines and of Dangerous Materials.

1. The commanding officer shall be the custodian of the keys to all spaces and receptacles containing projectiles, explosives, and radioactive material, and when fitted, of all magazine flood cocks; but he may designate such persons under his command to have custody of duplicate keys as he considers necessary. He shall prescribe conditions under which those persons may grant access to such spaces; but otherwise they shall not be opened without his consent.

2. Keys affiliated with nuclear weapons shall be maintained and with custody as directed by orders from competent authority.

3. He shall ensure that, except when undergoing test or overhaul, the flooding and sprinkling systems are ready for use at all times.

4. He shall ensure that inflammable and other dangerous materials are stored and handled in a safe manner, and, when conditions warrant, he himself shall be the custodian of the keys to the spaces involved.

0736. Physical Security.

1. The commanding officer shall take action to protect and maintain the security of the command from the dangers of attack, sabotage or other actions of subversive or militant groups or of any person with intent to do harm.

2. The commanding officer shall take action to protect and maintain the security of the command against dangers from fire, windstorms, or other acts of nature.

0737. Effectiveness for Service.

The commanding officer shall:

1. Exert every effort to maintain his command in a state of maximum effectiveness for war or other service consistent with the degree of readiness as may be prescribed by proper authority. Effectiveness for service is directly related to state of personnel and material readiness.

2. Make himself aware of the progress of any repairs, the status of spares, repair parts and other components, personnel readiness and other factors or conditions that could lessen the effectiveness of his command. When the effectiveness is lessened appreciably it shall be reported to appropriate superiors.

0738. Request for Inspection by Board of Inspection and Survey.

The commanding officer shall report to the Chief of Naval Operations without delay whenever the condition of his ship, or any department therein, is such as to require an inspection by the Board of Inspection and Survey. Such report shall be forwarded through official channels and bear the recommendations of the superiors concerned.

0739. Action With the Enemy.

The commanding officer shall:

a. Before going into battle or action communicate to his officers, if possible, his plans for battle or action and such other information as may be of operational value should any of them succeed to command.

b. During action, station the executive officer where he can best aid the commanding officer, and, if practicable, where he could probably escape the effects of a casualty disabling the commanding officer, and yet would be able to assume command promptly and efficiently.

c. During action, engage the enemy to the best of his ability. He shall not, without permission, break off action to assist a disabled ship or to take possession of a captured one.

d. Immediately after a battle or action, repair damage so far as possible, exert every effort to prepare his command for further service, and make accurate, explicit, and detailed reports as required.

0740. Search by Foreign Authorities.

1. The commanding officer shall not permit a ship under his command to be searched on any pretense whatsoever by any person representing a foreign state, nor permit any of the personnel within the confines of his command to be removed from the command by such person, so long as he has the capacity to repel such act. If force should be exerted to compel submission, he is to resist that force to the utmost of his power.

2. Except as may be provided by international agreement, the commanding officer of a shore activity shall not permit his command to be searched by any person representing a foreign state, nor permit any of the personnel within the confines of his command to be removed from the command by such person, so long as he has the power to resist.

0741. Prisoners of War.

On taking or receiving prisoners of war, the commanding officer shall ensure that such prisoners are treated with humanity; that their personal property is preserved and protected; that they are allowed the use of such of their effects as may be necessary for their health; that they are supplied with proper rations; that they are properly guarded and deprived of all means of escape and revolt and that the applicable provisions of the 1949 Geneva Conventions relative to the treatment of prisoners of war are followed.

0742. Captured Material.

On taking possession of any enemy ship, aircraft, installation, or other property or equipment, the commanding officer shall:

a. Adopt all possible measures to prevent recapture.

b. Secure or remove enemy personnel.

c. Secure and preserve the logs, journals, signal books, codes and ciphers, charts, maps, orders, instructions, blueprints, plans, diaries, letters and other documents found, and forward or deliver them at the earliest possible moment to the designated authority.

d. Preserve all captured enemy ordnance, machinery, fire-control equipment, electronic equipment, aviation equipment, and other property of possible intelligence value, unless destruction is necessary to prevent recapture, and make this material promptly available for intelligence evaluation or other authorized use.

0743. Casualty and Damage.

1. Immediately after its occurrence, the commanding officer shall submit a detailed report of the facts to the senior officer present, the Chief of Naval Operations or the Commandant of the Marine Corps as appropriate, and other superiors when:

a. A ship under his command touches the ground (except for landing ships or ships of a similar design making a landing without damage, or for a submarine resting on bottom as part of normal operations).

b. A ship under his command has a collision or other serious accident.

c. An aircraft under his command is involved in an accident which necessitates extensive repairs, or otherwise requires review or action by higher authority.

2. As soon as possible, the commanding officer of a shore activity shall report a serious fire or other material casualty, or a serious personnel casualty within his command to the Chief of Naval Operations, or the Commandant of the Marine Corps, as appropriate, to other superiors in command, and to the senior officer present in the area.

0744. Loss of a Ship.

1. In the case of the loss of a ship, the commanding officer shall remain by her with officers and crew so long as necessary and shall save as much Government property as possible. Every reasonable effort shall be made to save the quartermaster's notebook, deck log, personnel diary and pay records of officers and crew, and other valuable papers.

2. If it becomes necessary to abandon the ship, the commanding officer should be the last person to leave.

3. The commanding officer shall:

a. Take all possible precautions to protect the survivors and such Government property as has been saved.

b. Report to the nearest United States naval or military command and request instructions and such assistance as is required.

c. Report the circumstances to the Secretary of the Navy and the Chief of Naval Operations as soon as possible.

0745. Continuation of Authority After Loss of Ship or Aircraft.

When the crew of any naval vessel or naval aircraft is separated from their vessel or aircraft because of its wreck, loss, or destruction, all the command and authority given to the officers of the vessel or aircraft shall remain in full force until the crew shall be regularly discharged or reassigned by competent authority.

0746. Hospital Ship or Medical Aircraft.

1. The commanding officer of a hospital ship or the commander of a medical aircraft shall be responsible for complying with the appropriate provisions of the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea of 12 August 1949. Where necessary to the fulfillment of this responsibility, a departure from other provisions of Navy Regulations is authorized.

2. One of the central requirements under the 1949 Geneva Convention is that the ship or aircraft maintain a non-combatant status. Under this Convention, the following conditions do not deprive hospital ships or medical aircraft of their non-combatant status:

a. The fact that the crews are armed for the maintenance of order, for their own defense or that of the sick and wounded.

b. The presence on board of apparatus exclusively intended to facilitate navigation or unclassifed communications.

c. The discovery on board hospital ships or in sick bays of portable arms and ammunition taken from the wounded, sick and shipwrecked and not yet handed to proper authorities.

d. The fact that humanitarian activities of hospital ships or of the crews extend to the care of the wounded, sick or shipwrecked persons.

e. The transport of equipment and of personnel intended exclusively for medical duties, over and above normal requirements of the hospital ship.

0747. Status of Boats.

1. Boats shall be regarded in all matters concerning the rights, privileges, and comity of nations as part of the ship or aircraft to which they belong.

2. In ports where war, insurrection or armed conflict exists or threatens, the commanding officer shall:

a. Require that boats away from the ship or aircraft have some appropriate and competent person in charge.

b. See that steps are taken to make their nationality evident at all times.

0748. Proper Use of Labor and Materials.

1. No Government materials shall be diverted from their intended use, except for proper purposes, nor shall any buildings or portions thereof be occupied or used by other than authorized persons.

2. Civilian employees who are paid from appropriated funds shall not be permitted to perform, during the hours for which they are paid from such funds, any work other than that authorized to be done for the Government, or as otherwise prescribed by the Secretary of the Navy.

0749. Work, Facilities, Supplies, or Services for Other Government Departments, State or Local Governments, Foreign Governments, Private Parties and Morale, Welfare, and Recreational Activities.

1. Work may be done for or facilities, supplies, or services furnished to departments and agencies of the Federal and State governments, local governments, foreign governments, private parties, and morale, welfare, and recreational activities with the approval of a commanding officer provided:

a. The cost does not exceed limitations the Secretary of the Navy may approve or specify; and,

b. In the case of private parties, it is in the interest of the Government to do so and there is no issue of competition with private industry; and,

c. In the case of foreign governments a disqualification of a government has not been issued for the benefits of this article.

2. Work shall not be started nor facilities, supplies, or services furnished, morale, welfare, and recreational activities not classified as instrumentalities of the United States, or state or local governments or private parties until funds to cover the estimated cost have been deposited with the commanding officer, or unless otherwise provided by law.

3. Work shall not be started, nor facilities, supplies, or services furnished other Federal Government departments and agencies, or expenses charged to non-appropriated funds of morale, welfare, and recreational activities classified as instrumentalities of the United States until reimbursable funding arrangements have been made.

4. Work, facilities, supplies, or services furnished non-appropriated fund activities classified as instrumentalities of the United States in the Navy Comptroller Manual shall be funded in accordance with regulations of the Comptroller of the Navy.

5. Supplies or services may be furnished to naval vessels and military aircraft of friendly foreign governments (unless otherwise provided by law or international treaty or agreement):

a. On a reimbursable basis without an advancement of funds, when in the best interest of the United States;

(1) Routine port services (including pilotage, tugs, garbage removal, linehandling, and utilities) in territorial waters or waters under United States control,

(2) Routine airport services (including air traffic control, parking, servicing, use of runways),

(3) Miscellaneous supplies (including fuel, provisions, spare parts, and general stores) but not ammunition. Supplies are subject to approval of the cognizant fleet or force commanders when provided overseas,

(4) With approval of the Chief of Naval Operations in each instance, overhauls, repairs, and alterations together with necessary equipment and its installation required in connection therewith, to vessels and military aircraft.

b. Routine port and airport services may be furnished at no cost to the foreign government concerned where such services are provided by persons of the naval service without direct cost to the Department of the Navy.

6. In cases of emergency involving possible loss of life or valuable property, work may be started or facilities furnished prior to authorization, or provision for payment, but in all such cases a detailed report of the facts and circumstances shall be made promptly to the Secretary of the Navy or the appropriate authority.

7. Charges and accounting for any work, supplies, or services shall be as prescribed in the Navy Comptroller Manual.

0750. Relations With Personnel of Naval Shipyard or Station.

Except in matters coming within the security and safety regulations of the ship, the commanding officer shall exercise no control over the officers or employees of a naval shipyard or station where his ship is moored, unless with the permission of the commander of the naval shipyard or station.

0751. Movement of Ships at a Naval Station.

1. No ship or craft shall be moved or undergo dock trials during its stay at a naval station, except by direction or with the approval of the commanding officer of such station.

2. A ship arriving at, or departing from, a naval station shall be furnished such assistance, including tugs, when available, as in the opinion of the commanding officer of the naval station or the ship may be necessary for her safe handling.

0752. Responsibility for Safety of Ships and Craft at a Naval Station or Shipyard.

1. The commanding officer of a naval station or shipyard shall be responsible for the care and safety of all ships and craft at such station or shipyard not under a commanding officer or assigned to another authority, and for any damage that may be done by or to them. In addition, the commanding officer of a naval station or shipyard shall be responsible for the safe execution of work performed by his activity upon any ship located at that activity.

2. It shall be the responsibility of the commanding officer of a ship in commission which is undergoing overhaul, or which is otherwise immobilized at a naval station or shipyard, to request such services as are necessary to ensure the safety of his ship. The commanding officer of the naval station or shipyard shall be responsible for providing requested services in a timely and adequate manner.

3. When a ship or craft not under her own power is being moved by direction of the commanding officer of a naval station or shipyard, that officer shall be responsible for any damage that may result therefrom; the pilot or other person designated for the purpose shall be in direct charge of such movement, and all persons on board shall cooperate with and assist him as necessary.

4. When a ship operating under her own power is being drydocked, the commanding officer shall be fully responsible for the safety of his ship until the extremity of the ship first to enter the drydock reaches the dock sill and the ship is pointed fair for entering the drydock. The docking officer shall then take charge and complete the docking, remaining in charge until the ship has been properly landed, bilge blocks hauled, and the dock pumped down. In undocking, the docking officer shall assume charge when flooding the dock preparatory to undocking is started, and shall remain in charge until the extremity of the ship last to leave the dock clears the sill, and the ship is pointed fair for leaving the drydock, when the ship's commanding officer shall assume responsibility for the safety and control of the ship.

5. If the ship is elsewhere than at a naval station or shipyard, the relationship between the commanding officer and the supervisor of shipbuilding, or other appropriate official, shall be the same as that between the commanding officer and the commanding officer of a naval station or shipyard as specified in this article.

0753. Ships in Drydock.

1. The commanding officer of a ship in drydock shall be responsible for effecting adequate closure, during such periods as they will be unattended, of all openings in the ship's bottom upon which no work is being undertaken

by the docking activity. The commanding officer of the docking activity shall be responsible for the closing, at the end of working hours, of all valves and other openings in the ship's bottom upon which work is being undertaken by the docking activity, when such closing is practicable.

2. Prior to undocking, the commanding officer of a ship shall report to the docking officer any material changes in the amount and location of weights on board which have been made by the ship's force while in dock, and shall ensure, and so report, that all sea valves and other openings in the ship's bottom are properly closed. The level of water in the dock shall not be permitted to rise above the keel blocks prior to receipt of this report. The above valves and openings shall be tended during flooding of the dock.

3. When a ship or craft, not in commission, is in a naval drydock, the provisions of this article shall apply, except that the commanding officer of the docking activity or his representative shall act in the capacity of the commanding officer.

0754. Pilotage.

1. The commanding officer shall:

a. Pilot the ship under all ordinary circumstances, but he may employ pilots whenever in his judgment such employment is prudent.

b. Not call a pilot on board until the ship is ready to proceed.

c. Not retain a pilot on board after the ship has reached her destination or point where pilot is no longer required.

d. Give preference to licensed pilots.

e. Pay pilots no more than the local rates.

2. A pilot is merely an adviser to the commanding officer. His presence on board shall not relieve the commanding officer or any of his subordinates from their responsibility for the proper performance of the duties with which they may be charged concerning the navigation and handling of the ship. For an exception to the provisions of this paragraph, see "Rules and Regulations Covering Navigation of the Panama Canal and Adjacent Waters," which directs that the pilot assigned to a vessel in those waters shall have control of the navigation and movement of the vessel. Also see the provisions of these regulations concerning the navigation of ships at a naval shipyard or station, or in entering or leaving drydock.

0755. Safe Navigation and Regulations Governing Operation of Ships and Aircraft.

1. The commanding officer is responsible for the safe navigation of his ship or aircraft, except as prescribed otherwise in these regulations for ships at a naval shipyard or station in drydock, or in the Panama Canal. In time of war or armed conflict, or in exercises simulating war or armed conflict, competent authority may modify the use of lights or other safeguards required by law to prevent collisions at sea, in port, or in the air. In exercises, such modifications will be employed only when ships or aircraft clearly will not be hazarded.

2. Professional standards and regulations governing ship handling, safe navigation, safe anchoring and related operational matters shall be promulgated by the Chief of Naval Operations.

3. Professional standards and regulations governing the operation of naval aircraft and related matters shall be promulgated by the Chief of Naval Operations or the Commandant of the Marine Corps as appropriate.

0756. Duties of the Prospective Commanding Officer of a Ship.

1. Except as may be prescribed by the Chief of Naval Operations, the prospective commanding officer of a ship not yet commissioned shall have no independent authority over the preparation of the ship for service by virtue of his assignment to such duty, until the ship is commissioned and transferred to his command. As the prospective commanding officer, he shall:

a. Procure from the commander of the naval shipyard or the supervisor of shipbuilding the general arrangement plans of the ship, and all the pertinent information relative to the general condition of the ship and the work being undertaken on the hull, machinery, and equipment, upon reporting for duty.

b. Inspect the ship as soon after reporting for duty as practicable, and frequently thereafter, in order to keep himself informed of the state of her preparation for service. If, during the course of these inspections, he notes an unsafe or potentially unsafe condition, he shall report such condition to the commander of the naval shipyard or the supervisor of shipbuilding and to his superior for resolution.

c. Keep himself informed as to the progress of the work being done, including tests of equipment, and make such recommendations to the commander of the naval shipyard or the supervisor of shipbuilding as he deems appropriate.

d. Ensure that requisitions are submitted for articles to outfit the ship which are not otherwise being provided.

e. Prepare the organization of the ship.

f. Make such reports as may be required by higher authority, and include therein a statement of any deficiency in material or personnel.

2. If the prospective commanding officer does not consider the ship in proper condition to be commissioned at the time the commander of the naval shipyard or the supervisor of shipbuilding signifies his intention of transferring the ship to him, he shall report that conclusion with his reasons therefor, in writing, to the commander of the naval shipyard or the supervisor of shipbuilding and to the appropriate higher authority.

3. If the ship is elsewhere than at a naval shipyard, the relationship

between the prospective commanding officer and the supervisor of shipbuilding, or other appropriate official, shall be the same as that between the prospective commanding officer and the commander of a naval shipyard as specified in this article.

0757. Authority of the Commanding Officer or Prospective Commanding Officer of a Naval Nuclear Powered Ship.

The Chief of Naval Operations shall be responsible for providing the commanding officer or prospective commanding officer of a naval nuclear powered ship with the authority and direction necessary to carry out his responsibilities for the safety of the ship and crew, and the health and safety of the general public in surrounding area.

0758. Inspection Incident to Commissioning of Ships.

When a ship is to be commissioned, the authority designated to place such ship in commission shall, just prior to commissioning, cause an inspection to be made to determine the cleanliness and readiness of the ship to receive its crew and outfit. In the case of the delivery of a ship by a contractor, the above inspection shall precede acceptance of the ship. A copy of the report of this inspection shall be furnished the officer detailed to command the ship and to appropriate commands, bureaus or offices.

0759. Commissioning and Assuming Command.

A ship shall be transferred to the prospective commanding officer and placed in commission in accordance with the following procedure:

a. The formal transfer shall be effected by the district commandant or his representative.

b. As many of the officers and crew of the ship as circumstances permit, and a guard and music, shall be assembled and properly distributed on the quarter-deck or other suitable part of the ship.

c. The officer effecting the transfer shall cause the national ensign and the proper insignia of command to be hoisted with the appropriate ceremonies, and shall turn the ship over to the prospective commanding officer.

d. The prospective commanding officer shall read his orders, assume command, and cause the watch to be set.

0760. Preparing for Sea After Commissioning.

In preparing the ship for sea after commissioning, the commanding officer shall endeavor to discover and correct any defect or inadequacy in the crew or in the ship, her installations, equipment, ammunition, and stores; and shall ensure that all installations and equipment can be operated satisfactorily by the crew.

0761. Personnel Organized and Stationed.

Before departure for sea the commanding officer shall ensure that the officers and crew have been properly organized, stationed, and trained to cope effectively with any emergency that might arise in the normal course of scheduled operations.

0762. Entering a Port or Landing at a Place not Designated.

When a ship or aircraft enters a port or lands at a place not designated or permitted by instructions, the commanding officer shall promptly report to his immediate superior the cause for doing so, and an estimate of the delay which will be incurred. When such port or place is within foreign jurisdiction, the nearest United States diplomatic or consular representative, accredited to the government concerned, shall also be informed.

0763. Quarantine.

1. The commanding officer or aircraft commander of a ship or aircraft shall comply with all quarantine regulations and restrictions, United States or foreign, for the port or area within which his ship or aircraft is located.

2. Whether or not liable to quarantine, the commanding officer shall afford every facility to visiting health officers, United States or foreign, and shall give all information required by the latter, insofar as permitted by the requirements of military security.

3. The commanding officer shall allow no intercourse with a port or area or with other ships or aircraft until he has consulted local health authorities when:

a. Doubt exists as to the sanitary regulations or health conditions of the port or area.

b. A quarantine condition exists aboard his ship or aircraft.

c. Coming from a suspected port or area, or one actually under quarantine.

4. No concealment shall be made of any circumstance that may subject a ship or aircraft of the Navy to quarantine.

5. Should there appear at any time on board a ship or aircraft conditions which present a hazard of introduction of a communicable disease outside the ship or aircraft, the commanding officer or aircraft commander shall at once report the fact to the senior officer present, to other appropriate higher authorities and, if in port, to the health authorities having quarantine jurisdiction. He shall prevent all contacts likely to spread disease until pratique is received. The commanding officer of a ship in port shall hoist the appropriate signal.

0764. Customs and Immigration Inspections.

1. The commanding officer or aircraft commander shall facilitate any proper examination which it may be the duty of a customs officer or an immigration officer of the United States to make on board the ship or aircraft under his command. He shall not permit a foreign customs officer or an immigration officer to make any examination whatsoever, except as hereinafter provided, on board the ship, aircraft, or boats under his command.

2. When a ship or aircraft of the Navy or a public vessel manned by naval personnel and operating under the direction of the Department of the Navy is carrying cargo for private commercial account, such cargo shall be subject to the local customs regulations of the port, domestic or foreign, in which the ship or aircraft may be, and in all matters relating to such cargo, the procedure prescribed for private merchant vessels and aircraft shall be followed. Government-owned stores or cargo in such ship or aircraft not landed nor intended to be landed nor in any manner trafficked in, are, by the established precedent of international courtesy, exempt from customs duties, but a declaration of such stores or cargo, when required by local customs regulations, shall be made. Commanding officers shall prevent, as far as possible, disputes with the local authorities in such cases, but shall protect the ship or aircraft and the Government-owned stores and cargo from any search or seizure.

3. Upon arrival from a foreign country, at the first port of entry in United States territory, the commanding officer, or the senior officer of ships or aircraft in company, shall notify the collector of the port. Each individual aboard shall, in accordance with customs regulations, submit a list of articles purchased or otherwise acquired by him abroad. Dutiable articles shall not be landed until the customs officer has completed his inspection.

4. Commanding officers of naval vessels and aircraft transporting United States civilian and foreign military and civilian passengers shall satisfy themselves that the passenger clearance requirements of the Immigration and Naturalization Service are complied with upon arrival at points within the jurisdiction of the United States. Clearance for such passengers by an immigration officer is necessary upon arrival from foreign ports and at the completion of movements between any of the following: Continental United States (including Alaska and Hawaii), Canal Zone, Puerto Rico, Virgin Islands, Guam, American Samoa, or other outlying places subject to United States jurisdiction. Commanding officers prior to arriving shall advise the cognizant naval or civilian port authority of the aforementioned passengers aboard and shall detain them for clearance as required by the Immigration and Naturalization service.

5. The provisions of this article shall not be construed to require delaying the movements of any ship or aircraft of the Navy in the performance of her assigned duty.

0765. Environmental Pollution.

The commanding officer shall cooperate with local, state and other governmental authorities in the prevention, control and abatement of environmental pollution to the extent resources and operational considerations permit. He shall be aware of existing policies regarding pollution control and he should recommend remedial measures when appropriate.

0766. When Acting Singly.

When acting singly, the commanding officer shall conform to the applicable regulations for the senior officer present.

0767. Issue of Personal Necessaries.

1. The commanding officer is authorized to direct, in writing, the issue of clothing and small stores to enlisted persons in a nonpay status, including those in debt to the Government, in such amount as he deems necessary for their health and comfort.

2. He is likewise authorized to direct, in writing, the issue to such enlisted persons of certain other necessaries, including toilet articles and tobacco, in the manner and amount prescribed by the Commander Naval Supply Systems Command or the Commandant of the Marine Corps.

0768. Care of Ships, Aircraft, Vehicles and Their Equipment.

The commanding officer shall cause such inspections and tests to be made and procedures carried out as are prescribed by competent authority, together with such others as he deems necessary, to ensure the proper preservation, repair, maintenance, and operation of any ship, aircraft, vehicle, and their equipment assigned to his command.

CHAPTER 8

PRECEDENCE, AUTHORITY AND COMMAND

0801. Officers of the Naval Service.

1. Officers of the United States naval service shall be known as officers in the line, officers in the staff corps, chief warrant officers, and warrant officers. Midshipmen are, by law, officers in a qualified sense and are classed as being in the line.

2. Officers in the line of the Navy include the following officers in the grade of ensign and above:

a. Line officers not restricted in the performance of duty.

b. Limited duty officers designated for duty in line technical fields.

c. Line officers restricted in the performance of duty designated for engineering duty; aeronautical engineering duty; and types of special duty which include cryptology, intelligence, public affairs, meterology and oceanography/hydrography.

3. Officers in the staff corps of the Navy include:

a. Officers in the Medical, Supply, Chaplain, Civil Engineer, Judge Advocate General's, Dental, Medical Service, and Nurse Corps, not restricted in the performance of duty within their respective corps.

b. Officers in staff corps designated for limited duty within their respective corps.

4. In the Navy there are: chief warrant officers, W-4; chief warrant officers, W-3; chief warrant officers, W-2; and warrant officers, W-1. Chief warrant officers and warrant officers whose technical specialty is within the cognizance of a staff corps are classed as chief warrant officers or warrant officers in the staff corps. All other chief warrant officers and warrant officers are classed as in the line.

5. Officers of the Marine Corps of and above the grade of second lieutenant are officers in the line and include those:

a. Not restricted in the performance of duty.

b. Designated for limited duty in appropriate technical fields.

6. Chief warrant officers and warrant officers of the Marine Corps are classed as in the line.

7. The term ''line officer of the naval service'' shall be construed to refer to line officers of both the Navy and the Marine Corps.

8. Within the Manual for Courts-Martial, United States, 1969 (Revised Edition) and the Manual of the Judge Advocate General, the term ''officer'' includes chief warrant officers W-4, W-3, and W-2, but does not include a warrant officer W-1 unless the context indicates otherwise.

0802. Precedence of Officers.

1. The date of rank of an officer is that stated in his commission, or when no commission for his current grade has been issued to him, the date established by the Secretary of the Navy.

2. All line officers of the same grade take precedence with each other, (except as provided for when a naval officer is serving as Chairman of the Joint Chiefs of Staff) according to their respective dates of rank, but when such officers have the same date of rank or have gained or lost numbers, their precedence shall be as indicated in the appropriate lineal lists maintained in accordance with law, and provided that the Assistant Commandant of the Marine Corps, if and when appointed to the grade of lieutenant general pursuant to 10 U.S.C. 5232(a), ranks first for all purposes among the officers serving in that grade under that section.

3. Line and staff corps officers of the naval service, when of the same grade, shall take precedence with all other line and staff corps officers of the same grade from the dates of rank stated in their commissions. Line officers and staff corps officers having the same date of rank shall take precedence with respect to other line and staff corps officers, respectively, in accordance with their lineal order as shown in the appropriate lineal lists. Staff corps officers having the same date of rank as their line running mates shall take precedence after their line running mates but ahead of all line and staff officers junior to their line running mates. When there are officers of more than one staff corps having the same line running mate and the same date of rank as their line running mate they shall take precedence in the following order:

a. Officers in the Medical Corps.

b. Officers in the Supply Corps.

c. Officers in the Chaplain Corps.

NAVY	MARINE CORPS	ARMY AND AIR FORCE	COAST GUARD	NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION	PUBLIC HEALTH SERVICE
ADMIRAL	GENERAL	GENERAL	ADMIRAL		
VICE ADMIRAL	LIEUTENANT GENERAL	LIEUTENANT GENERAL	VICE ADMIRAL		
REAR ADMIRAL (UPPER HALF)	MAJOR GENERAL	MAJOR GENERAL	REAR ADMIRAL (UPPER HALF)	REAR ADMIRAL (UPPER HALF)	SURGEON GENERAL[1] DEPUTY SURGEON GENERAL
REAR ADMIRAL (LOWER HALF) AND COMMODORE	BRIGADIER GENERAL	BRIGADIER GENERAL	REAR ADMIRAL (LOWER HALF) AND COMMODORE	REAR ADMIRAL (LOWER HALF)	ASSISTANT SURGEON GENERAL
CAPTAIN	COLONEL	COLONEL	CAPTAIN	CAPTAIN	MEDICAL DIRECTOR[3]
COMMANDER	LIEUTENANT COLONEL	LIEUTENANT COLONEL	COMMANDER	COMMANDER	SENIOR SURGEON[3]
LIEUTENANT COMMANDER	MAJOR	[redacted]	LIEUTENANT COMMANDER	LIEUTENANT COMMANDER	SURGEON[3]
LIEUTENANT	CAPTAIN	CAPTAIN	LIEUTENANT	LIEUTENANT	SENIOR ASSISTANT SURGEON[3]
LIEUTENANT (jg)	FIRST LIEUTENANT	FIRST LIEUTENANT	LIEUTENANT (jg)	LIEUTENANT (jg)	ASSISTANT SURGEON[3]
[redacted]	SECOND LIEUTENANT	SECOND LIEUTENANT	ENSIGN	ENSIGN	JUNIOR ASSISTANT SURGEON[3]

[1] Surgeon General's grade corresponds to that of Surgeon General of the Army.
[2] May hold grade corresponding to Major General or Brigadier General.
[3] And other officers of same grade, with titles appropriate to their duties.

d. Officers in the Civil Engineer Corps.

e. Officers in the Judge Advocate General's Corps.

f. Officers in the Dental Corps.

g. Officers in the Medical Service Corps.

h. Officers in the Nurse Corps.

4. Chief warrant officers (Grades W-2, W-3, and W-4) of the Navy or Marine Corps, in the same grade, take precedence with each other according to the dates of rank stated in their commissions. When the commissions of two or more of them are of the same date, they take precedence according to the order in which their names are shown in the appropriate lineal lists.

5. Warrant officers (Grade W-1) of the Navy or Marine Corps take precedence with each other according to the dates of rank stated in their warrants. When the warrants of two or more of them are the same date, they take precedence according to the order in which their names are shown in the appropriate lineal lists.

6. The details of computing precedence of officers of the reserve components shall be as prescribed by the Commandant of the Marine Corps or the Chief of Naval Personnel, as appropriate.

0803. Relative Rank and Precedence of Officers of Different Services.

1. Relative rank of grades of officers of the Army, Navy, Marine Corps, Air Force, and Coast Guard, whether on the active or retired lists, and of the National Oceanic and Atmospheric Administration and Public Health Service when serving with the military, is indicated in the following table:

2. The precedence of officers of the Army, Navy, Marine Corps, Air Force, Coast Guard, and Public Health Service of the same relative grade shall be in accordance with their respective dates of rank, the senior in date of rank taking precedence over the junior.

3. When officers of the Army, Navy, Marine Corps, Air Force, Coast Guard, and Public Health Service, having the same or relative grade and the same date of rank, are serving together they shall have precedence according to the time each has served on active duty as a commissioned officer of the United States.

4. When serving with the Army, Navy, Marine Corps, or Air Force, commissioned officers of the National Oceanic and Atmospheric Administration shall rank with and after officers of corresponding grade in the Army, Navy, Marine Corps, or Air Force of the same length of service in grade.

5. A Public Health Service Officer in uniform may use, for the purpose of identification and address, the military or naval rank corresponding to the grade marking worn. An officer of the Public Health Service detailed for duty with the Navy, Marine Corps, Army, Air Force, Coast Guard or National Oceanic and Atmospheric Administration may use in official correspondence the title of military or naval rank corresponding to the grade marking worn.

0804. Precedence of an Officer in Command.

An officer, either of the line or of a staff corps, detailed to command by competent authority or who has succeeded to command has precedence over all officers or other persons attached to the command of whatever rank and whether they are of the line or of a staff corps.

0805. Precedence of the Executive Officer.

The executive officer, while in the execution of his duties as such, shall take precedence over all persons under the command of the commanding officer.

0806. Precedence on Courts and Boards.

The precedence established by these regulations shall be observed on all courts and boards.

0807. Precedence in Processions on Shore.

1. Officers in processions on shore shall be placed in formation according to their grade but not necessarily according to their order of precedence in grade. All processions on shore where officers appear in an official capacity, and where formation is necessary, shall be regarded as military formations. The command thereof shall devolve upon the senior line officer in the formation, except when the commander or commanding officer of the unit in formation is a member of a staff corps, the senior officer in the formation who is a member of the same staff corps as the commander or commanding officer shall be in command thereof.

2. When serving on shore with a mixed detachment composed of seamen and marines, the marines shall always be placed on the right in battalion or other infantry formation on occasions of ceremony.

0808. Title of Officers Holding Acting Appointments.

An officer holding an acting appointment shall have the title of his acting grade, and when such appointment is revoked, he shall resume the title of his actual grade.

0809. Titles and Authority of Certain Officers.

1. The Commander Naval Supply Systems Command, the Commander Naval Facilities Engineering Command, and the Chief of the Dental Division shall have, while so serving, the additional titles of Chief of Supply Corps, Chief of Civil Engineers, and Chief of Dental Corps, respectively.

2. The Surgeon General, the Chief of Supply Corps, the Chief of Chaplains, the Chief of Civil Engineers, the Judge Advocate General, the Chief of the Dental Corps, the Chief of the Medical Service Corps, the Director of the Nurse Corps, shall be the principal advisors and sponsors on matters concerned with officers in their respective corps and enlisted personnel with ratings associated with the corps. Also, as heads of corps, they shall be spokesmen regarding professional matters with the military and civilian communities.

0810. Manner of Addressing Officers.

1. Except as provided in paragraph 2, every officer in the naval service shall be designated and addressed in official communications by the title of his or her grade, preceding the name.

2. In oral official communications, officers will be addressed by their grade except that officers of the Medical Corps, the Dental Corps and those officers of the Medical Service Corps and the Nurse Corps having doctoral degrees may be addressed as ''Doctor'' and officers of the Chaplain Corps may be addressed as ''Chaplain''. When addressing an officer whose grade includes a modifier, the modifier may be dropped.

3. In written communications the name of the corps to which any staff corps officer belongs shall be indicated immediately after his name.

0811. Exercise of Authority.

1. All persons in the naval service on active service, and those on the retired list with pay, and transferred members of the Fleet Reserve and the Fleet Marine Corps Reserve, are at all times subject to naval authority. While on active service they may, if not on leave of absence except as noted below, on the sick list, taken into custody, under arrest, suspended

from duty, in confinement, or otherwise incapable of discharging their duties, exercise authority over all persons who are subordinate to them.

2. A person in the naval service, although on leave, may exercise authority:

a. When in a naval ship or aircraft and placed on duty by the commanding officer or aircraft commander.

b. When in a ship or aircraft of the armed services of the United States, other than a naval ship or aircraft, as the commanding officer of naval personnel embarked, or when placed on duty by such officer.

c. When senior officer at the scene of a riot or other emergency, or when placed on duty by such officer.

0812. Authority Over Subordinates.

All officers of the naval service, of whatever designation or corps, shall have all the necessary authority for the performance of their duties and shall be obeyed by all persons, of whatever designation or corps, who are, in accordance with these regulations and orders from competent authority, subordinate to them.

0813. Delegation of Authority.

The delegation of authority and the issuance of orders and instructions by a person in the naval service shall not relieve such person from any responsibility imposed upon him. He shall ensure that the delegated authority is properly exercised and that his orders and instructions are properly executed.

0814. Abuse of Authority.

Persons in authority are forbidden to injure their subordinates by tyrannical or capricious conduct, or by abusive language.

0815. Contradictory and Conflicting Orders.

1. An officer who diverts another from any service upon which he has been ordered by a common superior, or requires him to act contrary to the orders of such superior, or interferes with those under such superior's command, must immediately report his action to the officer whose orders he has contravened, and show that the public interest required such action. All orders under such circumstances shall be given in writing when possible.

2. If an officer receives an order which annuls, suspends, or modifies one received from another superior, or one contrary to instructions or orders from the Secretary of the Navy, he shall exhibit his first orders, unless he has been instructed not to do so, and represent the facts in writing to the superior from whom the last order was received. If, after such representation, the officer from whom the last order was received should insist upon the execution of his order, it shall be obeyed. The officer receiving and executing such order shall report the circumstances to the superior from whom he received the original order.

0816. Authority of an Officer in Command.

An officer, either of the line or a staff corps, detailed to command by competent authority, has authority over all officers or other persons attached to the command, whatever their rank, and whether they are of the line or of a staff corps.

0817. Authority of an Officer Who Succeeds to Command.

1. An officer who succeeds to command due to incapacity, death, departure on leave, detachment without relief, or absence due to orders from competent authority of the officer detailed to command has the same authority and responsibility as the officer whom he succeeds.

2. An officer who succeeds to command during the temporary absence of the commanding officer shall make no changes in the existing organization, and shall endeavor to have the routine and other affairs of the command carried on in the usual manner.

3. When an officer temporarily succeeding to command signs official correspondence, the word "Acting" shall appear below his signature.

0818. Authority of a Vice Commander or a Deputy.

A vice commander or a deputy shall exercise command or control only over activities and matters specified in his orders or as directed by his superior.

0819. Authority of the Commander or Commanding Officer of a Base or Station Over Visiting Commands.

While at a naval base or naval station and not under the command of the naval base commander or naval station commanding officer, the officer in command or in charge of a ship, craft, unit of aircraft or troops shall conform to the orders of the naval base commander or naval station commanding officer related to common or specific services he may provide. Such common or specific services may include waterfront operations, airfield operations, security, fire protection, safety, defense, sanitation, recreation, and welfare.

0820. Authority Over Fleet Aircraft at a Naval Station.

1. Fleet aircraft personnel and aircraft units based on shore at a naval station shall constitute the Fleet Air Detachment at that station.

Squadrons and larger tactical units of fleet aircraft, however, shall retain their identity as such, including command of all regularly assigned personnel.

2. The senior officer in command of a unit of fleet aircraft based at a naval station shall have the title Commander Fleet Air Detachment. He shall coordinate the operations of units of fleet aircraft present when required for common purposes. He shall require that personnel attached to such units conform to the orders of the commanding officer of the station in matters under the authority of the latter, including, insofar as operating conditions permit, the routine of the station. He shall make such special details of fleet personnel to assist the various departments of the station as may be determined to be necessary by higher authority.

0821. Authority of the Commanding Officer of a Hospital Ship.

1. The naval hospital in a hospital ship embraces all persons attached to the hospital either for duty or for treatment, all activities within the ship which are devoted to the care or treatment of the sick or injured, and all parts of the ship which are used for the care and treatment of the sick or injured, as living quarters by persons attached to the hospital, or for the stowage of the supplies or equipment belonging to the hospital.

2. The commanding officer of the naval hospital is under the command of the commanding officer of the hospital ship. The commanding officer of the ship shall normally limit the exercise of command over the naval hospital to such military matters as discipline, security, intelligence, communications, fire protection, watertight integrity, stability, preservation, and maintenance, and overall cleanliness with regard for the responsibility of the commanding officer of the naval hospital for the sanitary conditions of the naval hospital. Except as above stated, he shall not exercise control, within the hospital, over its administration or organization, including the expenditure or accountability of funds allotted the hospital, the assignment of personnel and work, and the establishment of technical methods and procedures, unless such control has been specifically delegated to him by competent authority. Nothing in this article shall be construed to prevent the appropriate assignment of a proportionate share of work of a general nature to personnel attached to the naval hospital.

0822. Authority of an Officer of the Marine Corps Over Naval Forces.

Officers of the Marine Corps may not command ships or naval shipyards. This article shall not be construed to prevent an officer of the Marine Corps, when so detailed by the Secretary of the Navy or a commander in chief, from having and exercising such authority as may be necessary to direct the operations of all forces assigned to him.

0823. Authority of Officers Embarked as Passengers.

1. The commanding officer of a ship or aircraft, not a flagship, with a flag officer eligible for command at sea embarked as a passenger shall be subject to the orders of such flag officer. Other officers embarked as passengers, senior to the commanding officer, shall have no authority over him.

2. Officers embarked as passengers who are junior to the commanding officer, or commanding officer of the transport unit of a ship of the Military Sealift Command, if not on the staff of an officer also embarked, may be assigned to duty when the exigencies of the service render it necessary. The commanding officer or commanding officer of the transport unit shall be the judge of such necessity. Passengers thus assigned shall have the same authority as though regularly attached to the ship.

0824. Authority to Place Self on Duty.

No officer can place himself on duty by virtue of his commission or warrant alone.

0825. Authority in a Boat.

Except when embarked in a boat authorized by the Chief of Naval Operations to have an officer or petty officer in charge, the senior line officer (including commissioned warrant and warrant officers) eligible for command at sea has authority over all persons embarked therein, and is responsible for the safety and management of the boat.

0826. Authority and Responsibility of a Senior Officer Under Certain Circumstances.

1. In the event of a riot or quarrel between persons in the naval service or in other circumstances not provided for in these regulations in which persons in the naval service are involved and the exercise of naval authority is necessary, the senior officer in the naval service at the scene shall assume command and take the action necessary, until relieved of this responsibility by competent authority. All persons in the naval service in the vicinity shall render prompt assistance and obedience to the officer thus engaged in the restoration of order.

2. Should there be no commissioned officer or warrant officer at the scene, the senior petty officer or non-commissioned officer present shall assume command.

3. The person who assumed command under the above circumstances shall have the authority to apprehend any person in the naval service if necessary.

0827. Authority and Status of Persons in the Coast Guard, National Oceanic and Atmospheric Administration, and Public Health Service.

Whenever, by order of the President, personnel of the Coast Guard and the National Oceanic and Atmospheric Administration, and officers of the Public Health Service, are serving as part of the naval service, they shall be subject to the laws, regulations, and orders which pertain to the Navy insofar as may be necessary for command discipline, and effective naval administration. Otherwise they shall continue to be subject to laws, regulations, and orders of their respective services. They shall have the same

authority and control over officers and enlisted persons of the other services as that to which their grade, rank or rate entitles them in their respective services.

0828. Authority of Officers With Acting Appointments.

An officer duly appointed to act in any grade shall, while serving under such appointment, have the same authority as if he held a commission in that grade.

0829. Authority of Warrant Officers, Non-Commissioned Officers, and Petty Officers.

Chief warrant officers, warrant officers, non-commissioned officers, and petty officers shall have, under their superiors, all necessary authority for the proper performance of their duties, and they shall be obeyed accordingly.

0830. Authority of a Sentry.

A sentry, within the limits stated in his orders, has authority over all persons on his post.

0831. Authority of Juniors to Issue Orders to Seniors.

No officer is authorized by virtue of his rank alone to give any order or grant any privilege, permission, or liberty to any officer his senior. A senior officer is not required to receive such order, privilege, permission, or liberty from his junior, unless such junior is at the time in command of the ship or other command to which the senior is attached, or in command or direction of the military expedition or duty on which such senior is serving, or as executive officer is executing an order of the commanding officer.

0832. Basis for Details.

Appointments, details, transfers, and assignments shall be made on the basis of official records.

0833. Changes in Details to Duty.

No officer, except the senior officer present, shall change the detail of a person assigned by a superior to a specific duty without the permission of that superior. The senior officer present shall not change the detail of any person without good and sufficient reason and shall report all changes and the reasons for them to the superior without delay.

0834. Orders to Active Service.

1. No person who is not on active service or leave of absence shall be ordered into active service or on duty without permission of the Commandant of the Marine Corps or the Chief of Naval Personnel, except:

a. In the case of a person on leave of absence by the officer who granted the leave or a superior.

b. By the senior officer present on a foreign station.

2. In the event that the senior officer present of a foreign station issues any orders as contemplated by this article, he shall report the facts, including the reasons for issuing such orders, to the Chief of Naval Personnel or the Commandant of the Marine Corps, without delay.

3. Retired officers of the Navy and Marine Corps may be ordered to active service, with their consent, in time of peace. In time of war or a national emergency, such retired officers may, at the discretion of the Secretary of the Navy, be ordered to active service.

0835. Command of A Task Force.

A commander in chief and any other naval commander, may detail in command of a task force, or other task command, any eligible officer under his command whom he desires, and all other officers ordered to the task force or other task command shall be considered subordinate to the designated commander. All orders issued under the authority of this article shall continue in effect after the death or disability of the officer issuing them until revoked by his successor in command or by higher authority. The powers delegated to a commander by this article are not conferred on any other officer by virtue of the fact that he is senior officer present.

0836. Command of Naval Districts.

The officer detailed as commandant of a naval district shall be an officer of the line in the Navy, eligible for command at sea.

0837. Command of Naval Bases.

The officer detailed to command a naval base shall be an officer of the line in the Navy, eligible for command at sea.

0838. Command of Naval Shipyards.

The officer detailed to command a naval shipyard shall be trained in the technical aspects of building and repair of ships and shall have had substantial previous experience in the technical and management phases of such work. Such officer may have been designated for engineering duty.

0839. Command of Ships and Submarines.

1. The officer detailed to command a commissioned ship shall be an officer of the line in the Navy eligible for command at sea.

2. The officer detailed to command an aircraft carrier, an aircraft tender, or a ship with a primary task of operating or supporting aircraft shall be an officer of the line in the Navy, eligible for command at sea, designated as a naval aviator or naval flight officer.

3. The officer detailed to command a submarine shall be an officer of the line in the Navy, eligible for command at sea, and qualified for command of submarines.

0840. Command of Air Activities.

1. The officer detailed to command a naval aviation school, a naval air station, or a naval air unit organized for flight tactical or administrative purposes shall be an officer of the line in the Navy, designated as a naval aviator or naval flight officer, eligible for command at sea.

2. The officer detailed to command a naval air activity of a technical nature on shore may be an officer of the line in the Navy not eligible for command at sea but designated as a naval aviator or naval flight officer or designated for aeronautical engineering duty.

3. The officer detailed to command a Marine Corps aviation school, a Marine Corps air activity on shore or a Marine Corps air unit organized for flight tactical purposes shall be an officer of the Marine Corps, designated as a naval aviator or naval flight officer.

4. An officer of the Navy shall not normally be detailed to command an aviation unit of the Marine Corps nor shall an officer of the Marine Corps normally be detailed to command an aviation unit of the Navy. Aircraft units of the Marine Corps may, however, be assigned to ships or to naval air activities in the same manner as aircraft units of the Navy and, conversely, aircraft units of the Navy may be so assigned to Marine Corps air activities. A group composed of aircraft units of the Navy and aircraft units of the Marine Corps may be commanded either by an officer of the Navy or Marine Corps.

0841. Multiservice Commands.

1. When different commands of the Army, Navy, Air Force, Marine Corps, and Coast Guard join or serve together, the officer highest in rank in the Army, Navy, Air Force, Marine Corps, or Coast Guard on duty there, who is otherwise eligible to command, commands all those forces unless otherwise directed by the President.

2. An officer of the naval service in command of a unified, specified, joint, or combined command is not authorized to exercise operational control over U.S. naval forces not specifically assigned to him for operations, nor is he authorized to exercise authority as senior officer present or senior officer present afloat over such U.S. naval forces.

0842. Command of Staff Corps Activities.

An officer in a staff corps shall be detailed to command only such activities as are appropriate to his corps.

0843. Detail of Executive Officer.

1. The officer detailed as executive officer shall be the officer eligible to succeed to command and who, when practicable, is next in rank to the commanding officer. In the case of a naval hospital, a medical officer not next in rank may be detailed as executive officer by the Chief of Naval Personnel.

2. When no officer has been detailed as executive officer by the Commandant of the Marine Corps or the Chief of Naval Personnel, as appropriate, or when the officer detailed is absent or incapable of performing the duties of his office, the commanding officer shall detail the senior line officer under his command and eligible to succeed to command as executive officer except that, if the commanding officer is a member of a staff corps, he may detail as executive officer the next senior officer in the appropriate staff corps.

0844. Detail of Heads of Department and Other Officers.

When no officer has been detailed by the Commandant of the Marine Corps, or the Chief of Naval Personnel, as head of a department or other subdivision of the command, or to specific duty within the department or subdivision, or when the officer so detailed is absent or incapable of performing his duty, the commanding officer may detail a suitable officer to perform such duty.

0845. Detail of Persons Performing Medical or Religious Services.

Members of Medical, Dental, Chaplain, Medical Service, Nurse, or Hospital Corps shall be detailed or permitted to perform only such duties, in peace or war, as are related to medical, dental, or religious service and the administration of medical, dental, or religious units and establishments. Such duties are in accord with the permissible functions of the Geneva Conventions of August 12, 1949.

0846. Detail of Women.

Women members of the naval service shall not be detailed to duty in aircraft that are engaged in combat missions nor shall they be detailed to ships of the Navy other than hospital ships and transports.

0847. Detail of Enlisted Persons for Certain Duties.

1. Petty officers and noncommissioned officers shall not be detailed as messmen, except when nonrated men are not available.

2. Marines shall not be detailed to perform the duties of master-at-arms, yeoman, or hospital corpsman, except in case of emergency, which shall be determined by the commanding officer. When necessary to make such assignment, it shall continue only until a suitable person can be selected for the required duty.

3. Enlisted naval personnel may be assigned to duty in a service capacity in officers' messes and public quarters only when such assignment is

authorized by the Secretary of the Navy. This shall not be construed to prevent the voluntary employment, in any such capacity, of a retired enlisted person or a transferred member of the Fleet Reserve or Fleet Marine Corps Reserve without additional expense to the Government.

0848. Rank and Grade of an Officer Who Succeeds to Command.

An officer who succeeds to command acquires no increase of rank nor change in grade by virtue of such succession alone.

0849. Succession of a Deputy or Vice Commander.

Except as otherwise provided for specific cases, a deputy or vice commander shall succeed to command or control, as appropriate, in the case of the incapacity or death of the officer whose deputy or vice commander he is, and, unless the latter directs otherwise, at other times during the absence of such officer.

0850. Succession to Command of a Bureau.

1. When there is a vacancy in the office of the chief of a bureau, or during the disability of the chief of a bureau, or during his absence and unless he directs otherwise, the deputy chief of the bureau shall command the bureau until a successor takes office or the disability or the absence ceases.

2. When the foregoing paragraph cannot be complied with because of the disability or absence of the deputy chief of the bureau, the heads of the major divisions of the bureau, in the order recommended by the Chief of Naval Operations and directed by the Secretary of the Navy, shall command the bureau until a successor takes office or the disability or the absence of the chief or deputy ceases.

0851. Succession to Command of the Naval Material Command.

1. When there is a vacancy in the office of the Chief of Naval Material or during the disability of the Chief of Naval Material, or during his absence and unless he directs otherwise, the Vice Chief of Naval Material shall command the Naval Material Command until a successor takes office, or the disability or the absence ceases.

2. When the foregoing paragraph cannot be complied with because of disability or absence of the Vice Chief of Naval Material, the officer next senior in rank on the staff of the Chief of Naval Material shall succeed to command of the Naval Material Command, unless otherwise directed by the Chief of Naval Operations or the Secretary of the Navy, until a successor takes office or the disability or the absence of the Chief or the Vice Chief ceases.

0852. Succession to Command of a Naval Systems Command.

1. When there is a vacancy in the office of a commander of a naval systems command or during the disability of a commander of a naval systems command, or during the absence of a commander of a naval systems command and unless he directs otherwise, the vice commander shall succeed to the command of the naval systems command until a successor takes office, or the disability or the absence ceases.

2. When the foregoing paragraph cannot be complied with because of the absence or disability of the vice commander, the officer on the staff of the commander next senior in rank of the line or same staff corps as the commander, as appropriate, shall succeed to command of the naval systems command, unless otherwise directed by the Chief of Naval Material or the Chief of Naval Operations, until a successor takes office or the absence or disability of commander or vice commander ceases.

0853. Succession of a Chief of Staff and Other Staff Officers.

In the absence or incapacity of the officer on whose staff he is serving, a chief of staff, chief staff officer, or other officer on a staff may succeed to command if next in rank within the command and otherwise eligible as provided in these regulations.

0854. Succession Prescribed by a Commander in Chief.

A commander in chief and, when empowered by the Chief of Naval Operations, any other naval commander may prescribe the order of succession to command, including his own, among the various officers whom he has detailed to command task forces or other task commands. All orders issued under the authority of this article shall continue in effect after the incapacity or death of the officer issuing them until revoked by his successor in command or by higher authority. The powers delegated to a naval commander by this article are not conferred on any other officer by virtue of the fact that he is the senior officer present.

0855. Succession to Command of a Fleet, Subdivision of a Fleet, Fleet Marine Force, or Subdivision of a Fleet Marine Force.

1. In the event of the incapacity, death, departure on leave, or detachment without relief of a commander in chief of a fleet, a commander of a subdivision of a fleet, a commanding general of a fleet marine force, or a commanding general of a subdivision of a fleet marine force, or when such officer is absent from his command due to orders from competent authority and so directs, the following applies with regard to succession to command, unless competent authority prescribes that a deputy or other officer shall succeed to command. With respect to:

a. A fleet, the senior line officer of the Navy, eligible for command at sea, in the fleet or subdivision of a fleet shall succeed to command.

b. A fleet marine force, the senior officer of the Marine Corps, eligible for command, in the fleet marine force or subdivision of a Fleet Marine force shall succeed to command.

2. During the absence from his command or headquarters of any of the commanders referred to in paragraph 1 of this article, and when such officer has not directed that he be succeeded in command as provided in the preceding paragraph, succession to command shall be as follows:

a. The chief of staff or chief staff officer within a fleet.

b. The deputy or assistant commander within a fleet marine force, or the chief of staff if a deputy or assistant commander is not assigned.

3. An officer succeeding to command shall have authority to issue orders required to carry on the established routine and to perform the administrative functions of the command. He shall be the officer commanding for the time being for the administration and for the exercise of general court martial jurisdiction within the command. This shall not be construed to limit the authority and responsibility of the senior officer present in emergency or other foreseen situations which demand his action.

0856. Succession in Battle.

When a flag officer or other commander of ships is incapacitated in battle the officer next in rank in the flagship and eligible to succeed him shall succeed provisionally until the officer who would succeed as provided in the preceding article announces that he has taken command. It is the duty of the officer who succeeds provisionally to report, as soon as practicable, the incapacity of the flag officer to the officer who will succeed him and to the immediate superior of the flag officer.

0857. Succession to Command of a Ship.

In the event of the incapacity, death, relief from duty, or absence of the officer detailed to command a ship, he shall be succeeded by the line officer in the Navy, eligible for command at sea, next in rank and regularly attached to and on board the ship, until relieved by competent authority or until the regular commanding officer returns.

0858. Succession to Command of Aircraft Units and Submarines.

1. In the event of the incapacity, death, relief from duty, or absence of the officer detailed to command an aircraft squadron, group, or wing, the line officer regularly attached to and on board the aircraft unit who is next in rank and qualified as a naval aviator or naval flight officer shall succeed him, until relieved by competent authority or until the regular commanding officer returns.

2. In the event of the incapacity, death, relief from duty, or absence of the officers detailed to command a submarine, the line officer regularly attached to and on board the submarine who is next in rank and qualified for command in submarines shall succeed him, until relieved by competent authority or until the regular commanding officer returns.

0859. Succession to Command of a Sea Frontier or of a Naval District.

1. In the event of the incapacity or death of a commander of a sea frontier or of a commandant of a naval district, or when he is absent from the limits of his command and so directs, he shall be succeeded by the officer eligible for command at sea, designated by the commander or by the commandant with the knowledge of the Chief of Naval Operations.

2. During the absence of a commander of a sea frontier or of a commandant of a naval district and when he has not directed that he be succeeded in command as provided in the preceding paragraph, the deputy or the chief of staff or chief staff officer shall have authority to issue the orders required to carry on the established routine and to perform the administrative functions of the command. This shall not be construed to limit the authority or responsibility of the senior officer present in emergencies or other unforeseen situations which demand his action.

0860. Succession to Command of a Naval Base.

1. In the event of the incapacity or death of the commander of a naval base, or when he is absent and provided he so directs, he shall be succeeded by the officer, eligible for command at sea, designated by the commander of the naval base, with the approval of the immediate superior.

2. During the absence of a commander of a naval base, and when he has not directed that he be succeeded in command as provided in the preceding paragraph, the chief of staff or chief staff officer shall have authority to issue the orders required to carry on the established routine and perform the administrative functions of the naval base. This shall not be construed to limit the authority or responsibility of the senior officer present in emergencies or other unforeseen situations which demand his action.

0861. Succession to Command of a Naval Shore Activity.

In the event of incapacity, death or absence of the commanding officer or officer in charge of a naval shore activity not otherwise provided for in these regulations, the officer next in rank shall succeed him, except:

a. The commanding officer of a naval hospital shall be succeeded by the executive officer who, if so detailed by the Chief of Naval Personnel, need not be next in rank.

b. An officer in the staff corps may succeed to command only at such activities as are appropriate to his corps.

c. When appropriate, the Chief of Naval Operations may specify that the commanding officer shall be succeeded by an officer eligible for command at sea who need not be next in rank.

0862. Succession to Command by Officers Designated for Engineering Duty or Special Duty.

Officers designated for engineering duty, aeronautical engineering

duty, or special duty, who are otherwise eligible as provided in these regulations, may succeed to command only on shore.

0863. Succession to Command by Officers of the Marine Corps.

An officer of the Marine Corps shall not succeed to command of any ship or naval shipyard, or of a naval station, except when the officer detailed to command the station is an officer of the Marine Corps.

0864. Succession to Command on Detachment of an Officer in Command Without Relief.

Should an officer in command be detached without relief, he shall be succeeded in command by that officer who, in accordance with these regulations, would succeed to command in case of the incapacity, death, or absence of the officer in command.

0865. Succession to Command by Line Officers Designated for Limited Duty.

Officers of the line designated for limited duty may succeed to command of an activity in conformity with the following:

a. In ships, officers of the line of the Navy designated for limited duty, who are authorized to perform all deck duties afloat, may succeed to command.

b. Within other commands of the naval service, any limited duty officer with a designator appropriate to the function of the activity may succeed to command.

0866. Succession to Command by Chief Warrant Officers and Warrant Officers.

Chief warrant officers and warrant officers may succeed to command of an activity in conformity with the following:

a. In ships, chief warrant and warrant officers who are authorized to perform all deck duties afloat may succeed to command.

b. Within other commands of the naval service, any chief warrant or warrant officer, with a designator appropriate to the function of the activity may succeed to command.

0867. Relief of a Commanding Officer by a Subordinate.

1. It is conceivable that most unusual and extraordinary circumstances may arise in which the relief from duty of a commanding officer by a subordinate becomes necessary, either by placing him under arrest or on the sick list; but such action shall never be taken without the approval of the Commandant of the Marine Corps or the Chief of Naval Personnel as appropriate, or the senior officer present, except when reference to such higher authority is undoubtedly impracticable because of the delay involved or for other clearly obvious reasons. In any event, a complete report of the matter shall be made to the Commandant of the Marine Corps or the Chief of Naval Personnel as appropriate, and the senior officer present, setting forth all facts in the case and the reasons for the action or recommendation, with particular regard to the degree of urgency involved.

2. In order that a subordinate officer, acting upon his own initiative, may be vindicated for relieving a commanding officer from duty, the situation must be obvious and clear, and must admit of the single conclusion that the retention of command by such commanding officer will seriously and irretrievably prejudice the public interests. The subordinate officer so acting must be next in succession to command; must be unable to refer the matter to a common senior for one of the reasons set forth in the preceding paragraph; must be certain that the prejudicial actions of his commanding officer are not caused by instructions unknown to the subordinate officer; must have given the matter such careful consideration, and must have made such exhaustive investigation of all the circumstances as may be practicable; and finally, must be thoroughly convinced that the conclusion to relieve his commanding officer is one which a reasonable, prudent, and experienced officer would regard as a necessary consequence from the facts thus determined to exist.

3. Intelligent, fearless initiative is an important trait of military character; and it is not the purpose of these regulations to discourage its employment in cases of this nature. However, as the action of relieving a senior from command involves most serious possibilities, a decision to do so, or to so recommend should be based upon facts established by substantial evidence, and upon the official views of others in a position to form valid opinions, particularly of a technical character. An officer relieving his commanding officer or recommending such action, together with all others who so counsel, must bear the legitimate responsibility for, and must be prepared to justify, such action.

CHAPTER 9

THE SENIOR OFFICER PRESENT

0901. The Senior Officer Present.

Unless some other officer has been so designated by competent authority, the ''senior officer present'' is the senior line officer of the Navy on active duty, eligible for command at sea, who is present and in command of any part of the Department of the Navy in the locality or within an area prescribed by competent authority, except where personnel of both the Navy and the Marine Corps are present on shore and the officer of the Marine Corps who is in command is senior to the senior line officer of the Navy. In such cases, the officer of the Marine Corps shall be the senior officer present on shore.

0902. Eligibility for Command at Sea.

The term ''eligible for command at sea'' shall be construed to apply to all male officers of the line of the Navy, including Naval Reserve, on active duty, except those designated for the performance of engineering, aeronautical engineering or special duties, and except those limited duty officers who are not authorized to perform all deck duties afloat.

0903. Authority and Responsibility.

At all times and places not excluded in these regulations, or in orders from competent authority, the senior officer present shall assume command and direct the movements and efforts of all persons in the Department of the Navy present, when, in his judgment, the exercise of authority for the purpose of cooperation or otherwise is necessary. He shall exercise his authority in a manner consistent with the full operational command vested in the commanders of unified or specified commands.

0904. Authority of Senior Officer of the Marine Corps Present.

The authority and responsibility of the senior officer present are also conferred upon the senior commanding officer of the Marine Corps present with respect to those units of the Marine Corps, including Navy personnel attached, which are in the locality and not under the authority of the senior officer present.

0905. Commands Diverted by the Senior Officer Present.

The senior officer present shall not divert a command from an operation or duty assigned by another authority unless the public interest demands. When orders issued by the senior officer present conflict with an operation or duty assigned to a command, the commanding officer of such command shall disclose his orders to the senior officer present, to the extent permitted by the instructions contained therein, in order that the senior officer present may give them due consideration. The senior officer present shall inform a common senior promptly when he has diverted any command from a previously assigned operation or duty and shall release such command when its assistance is no longer required.

0906. Authority Within Commands.

In the exercise of his authority, the senior officer present normally shall not concern himself with the administrative matters within commands other than his own, except to the extent necessary to secure such uniformity and coordination of effort as may be required.

0907. Distinctions Ashore.

The responsibilities, authorities, and distinctions of commanders, officers in command, and others of the shore establishment are as stated by superiors or other competent authorities, and are not necessarily dependent upon relative seniority among the individuals concerned.

0908. To Make Known His Identity as Senior Officer Present.

When doubt may exist or when circumstances require, the senior officer present shall inform all commanding officers concerned in the locality or prescribed geographical area that he is the senior officer present.

0909. Reports and Calls by Juniors.

All commanding officers shall keep themselves informed of the identity of the senior officer present. The senior commander of each unit present shall inform the senior officer present of the orders under which he is acting to the extent permitted therein and of the condition of his command. When circumstances permit, he shall call upon the senior officer present.

0910. Concert of Action With Other Armed Forces.

When in the vicinity of other armed forces of the United States or of an ally of the United States, the senior officer present shall maintain, to the extent possible, a complete concert of action with the commander of these forces. He shall cooperate with the commander of such forces in the preparation and execution of plans for such joint action as may be necessary.

0911. Relations With Diplomatic and Consular Representatives.

The senior officer present, insofar as possible, shall preserve close relations with the diplomatic and consular representatives of the United States. He shall consider recommendations, requests or other communications from such representatives. While due weight should be given to the opinions and advice of such representatives, the senior officer present is solely and entirely responsible for his official acts.

0912. Communications With Foreign Officials.

1. As a general rule, when in foreign countries, the senior officer present shall communicate with foreign civil, diplomatic, or consular officials through the local United States diplomatic or consular representatives.

2. In the absence of a diplomatic or consular representative of the United States, the senior officer present in a foreign country has authority to:

a. Communicate or remonstrate with foreign civil authorities as may be necessary.

b. Urge upon citizens of the United States the necessity of abstaining from participation in political controversies or violations of the laws of neutrality.

0913. Coordination Procedures Established by a Unified or Specified Command.

In areas where the commander of a unified or specified command has established procedures for coordination of military matters affecting United States and host country relationships, the senior officer present shall adhere to such procedures.

0914. Violations of International Law and Treaties.

On occasions when injury to the United States or to citizens thereof is committed or threatened in violation of the principles of international law or in violation of rights existing under a treaty or other international agreement, the senior officer present shall consult with the diplomatic or consular representatives of the United States, if possible, and he shall take such action as is demanded by the gravity of the situation. In time of peace, action involving the use of force may be taken only in consonance with the provisions of the succeeding article of these regulations. The responsibility for any application of force rests wholly upon the senior officer present. He shall report immediately all the facts to the Secretary of the Navy.

0915. Use of Force Against Another State.

1. The use of force in time of peace by United States naval personnel against another nation or against anyone within the territories thereof is illegal except as an act of self-defense. The right of self-defense may arise in order to counter either the use of force or an immediate threat of the use of force.

2. The conditions calling for the application of the right of self-defense cannot be precisely defined beforehand, but must be left to the sound judgment of responsible naval personnel who are to perform their duties in this respect with all possible care and forebearance. The right of self-defense must be exercised only as a last resort, and then only to the extent which is absolutely necessary to accomplish the end required.

3. Force must never be used with a view to inflicting punishment for acts already committed.

0916. Territorial Integrity of Foreign Nations.

The senior officer present shall respect the territorial integrity of foreign nations. Unless permission has been obtained from foreign authorities:

a. No armed force for exercise, target practice, funeral escort, or other purposes shall be landed.

b. No persons shall be allowed to visit the shore, except as necessary to conduct official business.

c. No men shall be landed to capture deserters.

d. No target practice with guns, torpedoes, rockets, guided missiles, or other weapons shall be conducted within foreign territorial waters or at any point from which projectiles, torpedoes, or missiles may enter therein.

0917. Dealings With Foreigners.

The senior officer present shall uphold the prestige of the United States. He shall impress upon officers and men that, when in foreign ports, it is their duty to avoid all possible cause of offense to the authorities and inhabitants; that due deference must be shown by them to local laws, customs, ceremonies, and regulations; that moderation and courtesy should be displayed in all dealings with foreigners; and that a feeling of good will and mutual respect should be cultivated.

0918. Readiness and Safety of Forces.

1. The senior officer present shall prescribe the conditions of readiness of all the forces present and under his authority.

2. To the extent which the situation demands, the senior officer present shall be prepared for action and shall guard against surprise attack. With the means at his disposal, he shall put into effect such measures as are necessary to minimize the possibility of the undetected approach of hostile air, surface, or subsurface forces.

3. The senior officer present is responsible for the safety of the units in company and, at sea, shall direct the course to be

steered and the disposition to be employed. Nothing in this article will be construed as abrogating the authority of the commander of a task force or task command.

0919. Information Furnished to Subordinates.

Before engaging in any operation in time of war, if practicable, the senior officer present shall supply the commanding officers present with his operation plan and battle plan and shall communicate to the principal subordinates present such information as will assist them if called upon to assume command.

0920. Protection of Commerce of the United States.

Acting in conformity with the international law and treaty obligations, the senior officer present shall protect, insofar as lies within his power, all commercial craft of the United States in their lawful occupations; and he shall advance the commercial interests of this country.

0921. Leave and Liberty.

Subject to such orders as he may have received from competent authority, the senior officer present shall regulate leave and liberty.

0922. Shore Patrol.

1. When liberty is granted to any considerable number of persons, except in an area that can absorb them without danger of disturbance or disorder, the senior officer present shall cause to be established, temporarily or permanently, in charge of an officer, a sufficient patrol of officers, petty officers, and noncommissioned officers to maintain order and suppress any unseemly conduct on the part of any person on liberty. The senior patrol officer shall communicate with the chief of police or other local officials and make such arrangements as may be practicable to aid the patrol in carrying out its duties properly. Such duties may include providing assistance to military personnel in relations with civil courts and police, arranging for release of service personnel from civil authorities to the parent command, and providing other services that favorably influence discipline and morale.

2. A patrol shall not be landed in any foreign port without first obtaining the consent of the proper local officials. Tact must be used in requesting permission; and, unless it is given willingly and cordially, the patrol shall not be landed. If consent cannot be obtained, the size of liberty parties shall be held to such limits as may be necessary to render disturbances unlikely.

3. Officers and men on patrol duty in a foreign country normally should not be armed. In the United States, officers and men may be armed as prescribed by the senior officer present.

4. No officer or man who is a member of the shore patrol or beach guard, or is assigned in support thereof, shall partake of or indulge in any form of intoxicating beverage or other form of intoxicant while on duty, on post, or at other times prescribed by the senior patrol officer. The senior patrol officer shall ensure that the provisions of this paragraph are strictly observed and shall report promptly in writing to the senior officer present all violations of these provisions that may come to his notice. All officers and men of the patrol shall report to the senior patrol officer all violations of the provisions of this paragraph on the part of those under them.

0923. Precautions for Health.

The senior officer present shall take precautions to preserve the health of the persons under his authority. He shall obtain information regarding the healthfulness of the area and medical facilities available therein and shall adopt such measures as are required by the situation.

0924. Medical or Dental Aid to Persons Not in the Naval Service.

The senior officer present may require the officers of the Medical Corps and Dental Corps under his authority to render emergency professional aid to persons not in the naval service when such aid is necessary and demanded by the laws of humanity or the principles of international courtesy.

0925. Assistance to Persons, Ships and Aircraft in Distress.

1. Insofar as he can do so without serious danger to his ship or crew, the commanding officer or the senior officer present as appropriate shall:

a. Proceed with all possible speed to the rescue of persons in distress if informed of their need for assistance, insofar as such action may reasonably be expected of him.

b. Render assistance to any person found at sea in danger of being lost.

c. Afford all reasonable assistance to distressed ships and aircraft.

d. Render assistance to the other ship, after a collision, to her crew and passengers and, where possible, inform the other ship of his identity.

2. Actions taken pursuant to this article shall be promptly reported to the Chief of Naval Operations and other appropriate superiors.

3. The accounting for rendering assistance and repairs pursuant to this article shall be as prescribed by the Comptroller of the Navy.

0926. Admiralty Claims.

Admiralty claims for or against the United States involving Navy ships and craft shall be processed and disposed of in accordance with the procedures set forth in the Manual of the Judge Advocate General of the Navy.

0927. Repairs to Merchant Vessels.

1. There is no authority to effect repairs to a merchant vessel in collision with a Navy ship or craft except:

a. When specifically approved by Congress.

b. When, in the opinion of the senior officer present, the exigencies of war or of national defense so require.

c. When, in the opinion of the senior officer present, repairs are necessary to save life or to prevent the merchant vessel from sinking.

2. A report of repairs effected under authority of this article, including labor and material costs and a certification by the senior officer present as to why such repairs were undertaken, will be included in the senior officer present's report or forwarding endorsement to the Chief of Naval Operations and other appropriate superiors.

0928. Detail of Subordinate to Perform Administrative Duties.

When no officer has been detailed by other competent authority to perform administrative duties, the senior officer present may detail a subordinate officer to carry out the routine administrative duties of the senior officer present, but in no way shall such detail relieve the senior officer present of his responsibilities.

0929. The Senior Officer Present Afloat.

Unless some other officer has been so designated by competent authority, the ''senior officer present afloat'' is the senior line officer of the Navy, on active service, eligible for command at sea, who is present and with primary duty as commander of any unit or force of the Operating Forces of the Navy in the locality or within an area prescribed by competent authority, whether afloat or based ashore, except such units as may be assigned to shore commands by competent authority.

0930. Relations Between the Senior Officer Present and the Senior Officer Present Afloat.

1. When the senior officer present afloat is not the senior officer present, all matters affecting the units under the authority of the senior officer present afloat shall normally be referred to him by the senior officer present for appropriate action.

2. When an officer of the Marine Corps is the senior officer present on shore, and senior to the senior officer present afloat, the latter shall refer all matters, except those directly connected with units under his authority, to the former for appropriate action.

0931. General Duties of the Senior Officer Present Afloat.

As the common superior of commanders of all Navy units of the Operating Forces of the Navy in a locality, except such units as may be assigned to shore commands by competent authority, the senior officer present afloat is responsible for matters which affect these naval commands collectively. In the exercise of his authority, he normally shall not concern himself with the administrative matters within commands other than his own, except to the extent necessary to secure such uniformity and coordination of effort as may be required. In case of emergency or enemy attack, subject to the orders of the senior officer present, he shall assume command of all Navy units of the Operating Forces of the Navy present.

0932. Relations With Commanders Ashore.

When within the prescribed limits of authority of the commandant of a naval district or the commander of a naval shore activity, the senior officer present afloat and all other commanders of Navy units of the Operating Forces of the Navy present shall conform to the standing orders of such authority in all matters of common interest. Even though senior to the commandant or commander, the senior officer present afloat shall make no changes in local orders, plans, and arrangements, except as necessary to carry out his duties or for other causes which unquestionably demand a change, and then only after consultation with the commandant or commander, if practicable.

0933. Juniors to Obtain Permission From the Senior Officer Present.

A junior in command shall when meeting a senior at sea or in port, obtain permission by signal or otherwise to continue on duty assigned, to anchor or get underway, or to perform any evolution or other act of importance.

0934. Authority to Alter Organization.

The senior officer present afloat may organize the forces present under his command into such task organizations as he may deem desirable, but in so doing, he shall preserve their existing tactical organization insofar as practicable.

0935. Exercise of Power of Consul.

When upon the high seas or in any foreign port where there is no resident consul of the United States, the senior officer present afloat has the authority to exercise all powers of a consul in relation to mariners of the United States.

0936. File of the Senior Officer Present Afloat.

1. While in port, the senior officer present afloat shall require that a file of all orders issued by him or other competent authority which are applicable to the naval forces present be maintained. This file shall be transferred to the succeeding senior officer present afloat.

2. Whenever circumstances warrant and for any continuity purposes, the senior officer present afloat may detail a subordinate officer to carry out routine administrative duties and maintain a SOPA (Administration) file. In event a subordinate officer is not available or it is not appropriate for such detailing, the senior officer present afloat may arrange for the detail of an officer for the task.

0937. Medical, Dental, Communication, and Other Guard.

When two or more ships are in the vicinity of each other while liberty is being granted, the senior officer present afloat shall designate the daily order in which each ship having a medical officer shall take the medical guard unless facilities or services are available ashore or other adequate provision has been made. Similar provisions shall be made with respect to the establishment of a dental guard, communication guard, shore patrol, or any other guard as may be necessary in support of his responsibility.

0938. Responsibilities of Subordinates.

The regulations contained in this chapter shall not be construed to relieve commanders junior to the senior officer present, or the senior officer present afloat from their individual responsibilities in relation to their commands.

0939. Boarding Calls.

1. When he considers it appropriate, the senior officer present shall send an officer to board and report on ships and craft displaying United States colors found in or arriving at foreign ports.

2. The following information normally shall be obtained by boarding officers:

a. Name, nationality, owner, and type of craft.

b. Number and names of persons in crew.

c. Tonnage and cargo.

d. Place from and time out of port.

e. Probable date of departure and destination.

f. Unusual events during passage, general route taken, and weather conditions encountered.

3. Under ordinary circumstances the boarding officer can offer assistance in United States postal matters and provide medical and technical advice.

0940. Granting of Asylum and Temporary Refuge.

1. If an official of the Department of the Navy is requested to provide asylum or temporary refuge, the following procedures shall apply:

a. On the high seas or in territories under exclusive United States jurisdiction (including territorial seas, territories and possessions):

(1) At his request, an applicant for asylum will be received on board any naval aircraft or water-borne craft or naval station.

(2) Under no circumstances shall the person seeking asylum be surrendered to foreign jurisdiction or control, unless at the direction of the Secretary of the Navy or higher authority. Persons seeking asylum should be afforded every reasonable care and protection permitted by the circumstances.

b. In territories under foreign jurisdiction (including territorial seas, territories, and possessions):

(1) Temporary refuge shall be granted for humanitarian reasons on board a naval aircraft or water-borne craft or naval station only in extreme or exceptional circumstances wherein the life or safety of a person is put in danger, such as pursuit by a mob. When temporary refuge is granted, such protection shall be terminated only when directed by the Secretary of the Navy or higher authority.

(2) While temporary refuge can be granted in the circumstances set forth above, permanent asylum will not be granted.

(3) Requests for asylum shall be referred to the U.S. Embassy, if any, in the foreign jurisdiction. Individuals requesting asylum shall be afforded temporary refuge only in the circumstances outlined in subparagraph (1).

c. The Chief of Naval Operations or Commandant of the Marine Corps, as appropriate, will be informed by the most expeditious means of all action taken pursuant to a. and b. above as well as the attendant circumstances. The appropriate U.S. Embassy or consular post will be similarly informed of actions taken pursuant to subparagraph 1.b.(3) of this article. The Chief of Naval Operations or Commandant of the Marine Corps will cause the Secretary of the Navy and Department of State to be notified without delay.

2. Personnel of the Department of the Navy shall neither directly nor indirectly invite persons to seek asylum or temporary refuge.

CHAPTER 10

HONORS AND CEREMONIES

1001. Authority for Dispensing With Honors.

The honors and ceremonies prescribed in these regulations may be dispensed with when directed by the Secretary of the Navy, or when requested by an individual to whom such honors and ceremonies are due.

1002. Honors Restricted to Recognized Governments.

No salute shall be fired in honor of any nation or of any official of any nation not formally recognized by the Government of the United States; and, except as authorized by the Secretary of the Navy, no other honors or ceremonies prescribed in these regulations shall be rendered or exchanged with such nations or officials.

1003. International Honors Modified by Agreement.

Should the required number or frequency of international salutes, official visits, or other honors and ceremonies be deemed excessive, the senior officer present in the United States naval service may make, subject to the requirements of international courtesy, such modification as circumstances warrant and as may be agreed upon with the responsible officials or the senior officer present of the nation involved.

1004. Manner of Playing National Anthems.

1. The National Anthem of the United States, ''The Star Spangled Banner,'' when played by a naval band shall be played in its entirety as written and as prescribed in the official U.S. Navy Band arrangement which is designated as the official Department of Defense arrangement.

2. The playing of the National Anthem of the United States, or of any other country, as a part of a medley is prohibited.

3. When a foreign national anthem is prescribed in connection with honors, and it is considered appropriate to perform the National Anthem of the United States therewith, the National Anthem of the United States will be performed last.

4. On other occasions when a foreign national anthem (or anthems) is performed, the National Anthem of the United States will be performed last, except when performed in conjunction with Morning Colors.

1005. Procedure During Playing of National Anthems.

1. Whenever the National Anthem is played, all naval service personnel not in formation shall stand at attention and face the national ensign; but in the event that the national ensign is not being displayed, they shall face the source of the music. When covered they shall come to the salute at the first note of the anthem, and shall remain at the salute until the last note of the anthem. Persons in formation are brought to order arms or called to attention as appropriate. The formation commander shall face in the direction of the ensign or in the absence of the ensign shall face in the direction of the music and shall render the appropriate salute for his unit. Persons in formation participating in a ceremony shall, on command, follow the procedure prescribed for the ceremony. Persons in vehicles or in boats shall follow the procedure prescribed for such persons during colors; persons in civilian clothes shall comply with the rules and customs established for civilians.

2. The same marks of respect prescribed during the playing of the National Anthem shall be shown during the playing of a foreign national anthem.

1006. Morning and Evening Colors.

1. The ceremonial hoisting and lowering of the national ensign at 0800 and sunset at a naval command ashore or aboard a ship of the Navy not under way shall be known as Morning Colors and Evening Colors, respectively, and shall be carried out as prescribed in this article.

2. The guard of the day and the band shall be paraded in the vicinity of the point of hoist of the ensign.

3. ''Attention'' shall be sounded, followed by the playing of the National Anthem by the band.

4. At Morning Colors, the ensign shall be started up at the beginning of the music and hoisted smartly to the peak or truck. At Evening Colors, the ensign shall be started from the peak or truck at the beginning of the music and the lowering so regulated as to be completed at the last note.

5. At the completion of the music, ''Carry On'' shall be sounded.

6. In the absence of a band, or an appropriate recording to be played over a public address system, ''To the Colors'' shall be played by the bugle at Morning Colors, and ''Retreat'' at Evening Colors, and the salute shall be rendered as prescribed for the National Anthem.

7. In the absence of music, ''Attention'' and ''Carry On'' shall be the signals for rendering and terminating the salute. ''Carry On'' shall be sounded as soon as the ensign is completely lowered.

8. During colors, a boat under way within sight or hearing of the ceremony shall lie to, or shall proceed at the slowest safe speed. The boat officer, or in his absence the coxswain, shall stand and salute except when dangerous to do so. Other persons in the boat shall remain seated or standing and shall not salute.

9. During colors, vehicles within sight or hearing of the ceremony shall be stopped. Persons riding in such vehicles shall remain seated at attention.

10. After Morning Colors, if foreign warships are present, the national anthem of each nation so represented shall be played in the order in which a gun salute would be fired to, or exchanged with, the senior official or officer present of each such nation; provided that, when in a foreign port, the national anthem of the port shall be played immediately after Morning Colors, followed by the national anthems of other foreign nations represented.

1007. Salutes to the National Ensign.

1. Each person in the naval service, upon coming on board a ship of the Navy, shall salute the national ensign if it is flying. He shall stop on reaching the upper platform of the accommodation ladder, or the shipboard end of the brow, face the national ensign, and render the salute, after which he shall salute the officer of the deck. On leaving the ship, he shall render the salutes in inverse order. The officer of the deck shall return both salutes in each case.

2. When passed by or passing the national ensign being carried, uncased, in a military formation, all persons in the naval service shall salute. Persons in vehicles or boats shall follow the procedure prescribed for such persons during colors.

3. The salutes prescribed in this article shall also be rendered to foreign national ensigns and aboard foreign men-of-war.

1008. "Hail to the Chief."

1. The traditional musical selection "Hail to the Chief" is designated as a musical tribute to the President of the United States, and as such will not be performed by naval bands as a tribute to other dignitaries. The same honor as accorded during renditions of the National Anthem or "To the Colors" will be given to "Hail to the Chief" by naval personnel.

2. When performed by naval bands, renditions of "Hail to the Chief" shall be as prescribed in the official U. S. Marine Corps Band arrangement which is designated as the official Department of Defense arrangement.

1009. Exchange of Hand Salutes.

1. The hand salute is the long-established form of greeting and recognition exchanged between persons in the armed services. All persons in the naval service shall be alert to render or return the salute as prescribed in these regulations.

2. The salute by persons in the naval service shall be rendered and returned with the right hand, when practicable; except that, with arms in hand, the salute appropriate thereto shall be rendered or returned.

3. Juniors shall salute first. All salutes received when in uniform and covered shall be returned; at other times salutes received shall be appropriately acknowledged. Persons uncovered shall not salute, except when failure to do so would cause embarrassment or misunderstanding.

4. Civilians may be saluted by persons in uniform when appropriate, but the uniform hat or cap shall not be raised as a form of salutation.

5. A person in the naval service not in uniform shall, in rendering salutes or exchanging greetings, comply with the rules and customs established for a civilian; except that when saluting another person in the armed services, the hand salute shall be used.

1010. Occasions for Rendering Hand Salutes.

1. Salutes shall be rendered by persons in the naval service to officers of the armed forces of the United States, the National Oceanic and Atmospheric Administration, the Public Health Service and foreign armed services.

2. All persons in the naval service shall salute all officers senior to themselves on each occasion of meeting or passing near or when addressing or being addressed by such officers; except that:

a. On board ship salutes shall be dispensed with after the first daily meeting, except for those rendered to the commanding officer and officers senior to him, to visiting officers, to officers making inspections, and to officers when addressing or being addressed by them.

b. When such procedure does not conflict with the spirit of these regulations, at crowded gatherings or in congested areas, salutes shall be rendered only when addressing or being addressed by an officer who is senior to them.

c. Persons at work or engaged in games shall salute only when addressed by an officer senior to them and then only if circumstances warrant.

d. Persons in formation shall salute only on command.

e. When boats pass each other with embarked officers or officials in view, hand salutes shall be rendered by the senior officer and coxswain in each boat. Officers seated in boats shall not rise when saluting; coxswains shall rise unless dangerous or impracticable to do so.

f. Persons operating moving motor vehicles should not render or return salutes. Passengers will render and return salutes.

g. Persons guarding prisoners will not salute.

1011. Other Marks of Respect.

1. Juniors shall show deference to seniors at all times by recognizing their presence and by employing a courteous and respectful bearing and mode of speech toward them.

2. Juniors shall stand at attention, unless seated at mess, or unless circumstances make such action impracticable or inappropriate:

a. When addressed by an officer senior to them.

b. When an officer of flag or general rank, the commanding officer, or an officer senior to him in the chain of command, or an officer making an official inspection enters the room, compartment, or deck space where they may be.

3. Juniors shall walk or ride on the left of seniors whom they are accompanying.

4. Officers shall enter boats, aircraft and automobiles in inverse order of rank and shall leave them in order of rank, unless there is special reason to the contrary. The seniors shall be accorded the more desirable seats.

5. Subject to the requirements of the rules for preventing collisions, junior boats shall avoid crowding or embarrassing senior boats.

1012. Saluting Ships and Stations.

Saluting ships and stations of the naval service are those designated as such by the Secretary of the Navy or his duly authorized representative. The gun salutes prescribed in these regulations shall be fired by such ships and stations. Other ships and stations shall not fire gun salutes, unless directed to do so by the senior officer present on exceptional occasions when courtesy requires.

1013. Gun Salutes to the Flag of the President or the Secretary of State.

1. A 21-gun salute shall be fired to the flag of the President:

a. By each ship falling in with a ship displaying such flag, arriving at a place where such flag is displayed ashore, or present when such flag is broken.

b. By a naval station when a ship displaying such flag arrives at the naval station, or when such flag is broken by a ship present.

c. By a flag or general officer assuming command or, while in command, breaking the flag of an increased grade, in the presence of a ship or naval station displaying the flag of the President.

2. Under the circumstances prescribed by this article, a 19-gun salute shall be fired to the flag of the Secretary of State when he is acting as special foreign representative of the President.

1014. Gun Salutes to the Flag of the Secretary of Defense, Deputy Secretary of Defense, the Secretary of the Navy, Director of Defense Research and Engineering, an Assistant Secretary of Defense, the General Counsel, Under Secretary or an Assistant Secretary of the Navy.

1. A 19-gun salute shall be fired to the flag of the Secretary of Defense, Deputy Secretary of Defense, Director of Defense Research and Engineering, or the Secretary of the Navy, and a 17-gun salute shall be fired to the flag of an Assistant Secretary of Defense, the General Counsel, the Under Secretary of the Navy or an Assistant Secretary of the Navy:

a. By a ship falling in with a ship displaying such flag, arriving at a place where such flag is displayed ashore, or present when such flag is broken. In case of two or more ships in company, only the senior shall salute.

b. By a naval station when a ship displaying such flag arrives at the naval station, or when such flag is broken by a ship present.

c. By a flag or general officer assuming command, or breaking the flag of an increased grade in the presence of a ship or naval station displaying the flag of such official; provided that such officer is the senior officer present or the senior officer present on shore.

2. When the flags of two or more such officials are displayed under the circumstances prescribed in this article, only the flag of the senior shall be saluted.

1015. Gun Salute to a Foreign Nation.

1. When a ship enters a port of a foreign nation, the government of which is formally recognized by the Government of the United States, she shall fire a salute of 21 guns to that nation unless:

a. There is present no saluting battery or warships of that nation capable of returning the salute.

b. The ship is returning from a temporary absence from port, when, by agreement with local authorities, the salute may be dispensed with.

2. When a ship is passing through the territorial waters of a foreign nation with no intention of anchoring therein, the salute to the nation need not be fired unless unusual circumstances make it desirable to do so.

3. In case of two or more ships arriving in port or passing through territorial waters of a foreign nation in company, only the senior shall fire the salute prescribed in this article.

4. The salute to the nation, if fired, shall precede any salutes fired in honor of individuals.

1016. Returning Salute to the Nation Fired by Foreign Warship.

A salute to the nation fired by a foreign warship entering a port of the United States shall be returned by the senior ship present, provided no saluting battery of an armed service of the United States, designated to return such salutes, is present in the area.

1017. Gun Salutes to the Flag of a Foreign President, Sovereign, or Member of a Reigning Royal Family.

1. A 21-gun salute shall be fired by a ship or station to the flag or standard of the president, sovereign, or member of a reigning royal family under the circumstances prescribed in these regulations for firing a salute to the flag of the President of the United States.

2. In some foreign countries it is the national custom to fire special 21-gun salutes on certain occasions in honor of the president, sovereign, or a member of the reigning royal family. In such cases, ships shall conform to the national custom when requested by the proper local authorities.

1018. Gun Salutes When Several Heads of State are Present.

1. Each ship upon entering a port where the personal flags or standards of several presidents, sovereigns, or members of reigning royal families are displayed, shall fire a 21-gun salute to each of the several flags or standards displayed, in the following order:

a. The president, sovereign, or member of the reigning royal family of the nation to which the port belongs.

b. The President of the United States.

c. The presidents or sovereigns of other nations, in alphabetical order of the names of the nations in the English language.

d. Members of reigning royal families of other nations, in the same order as in subparagraph c. above.

2. In the circumstances set forth in this article, only the flag or standard of the senior dignitary of each nation shall be saluted.

1019. Authority to Fire Gun Salutes to Officers in the United States Naval Service.

Gun salutes prescribed in these regulations for officers and officials entitled to 17 or more guns shall be fired on the occasion of each official visit of the individual concerned. Gun salutes prescribed in these regulations for officers and officials entitled to 15 guns or less shall not be fired unless so ordered by the senior officer present or higher authority.

1020. Gun Salutes to the Senior Officer Present.

1. A flag officer who is the senior officer present shall be saluted by the senior of one or more ships arriving in port.

2. When a flag officer embarked in a ship of his command arrives in port and is the senior officer present, or when a flag officer assumes command and becomes the senior officer present, he shall be saluted by the former senior officer present.

3. A gun salute shall be fired by his flagship when a flag officer who is the senior officer present assumes or is relieved of command, or is advanced in grade.

4. When a flag officer who is not the senior officer present assumes command, he shall fire a salute to the senior officer present.

5. The provisions of this article shall be subject to the provisions of article 1026.4 and shall apply, where appropriate, to officers of the naval service in command ashore.

1021. Gun Salutes to Foreign Flag Officers.

1. When a ship enters a port where there is present no officer of the naval service senior to the senior arriving officer, and finds displayed there, afloat or ashore, the flags of foreign flag officers of one or more nations, salutes shall be exchanged with the senior flag officer present of each nation.

2. The senior officer present of the United States Navy in a port shall exchange gun salutes with the senior foreign flag officer displaying his flag in an arriving warship, provided such flag officer is the senior officer present of his nation.

3. Upon departure from port of the senior officer present of the United States Navy, his successor shall exchange gun salutes with the senior flag officer present of each foreign nation.

4. The senior officer present of the United States Navy shall exchange gun salutes with the senior officer present of a foreign nation when either hoists the flag of an increased grade.

5. In firing the salutes prescribed by this article, the following rules shall govern:

a. An officer of a junior grade shall fire the first salute.

b. When officers are of the same grade, the arriving officer shall fire the first salute.

c. Seniors shall be saluted in order of rank except that when firing salutes to two or more foreign officers of the same grade, the first salute

fired to an officer in that grade shall be to the flag officer of the nationality of the port.

6. When a ship of the Navy falls in at sea with a foreign warship displaying the flag of a flag officer, an exchange of salutes shall be fired; the junior saluting first. Such salutes shall be exchanged only between the senior United States ship and the senior foreign ship. Should flag officers be of the same grade and their relative rank be unknown or in doubt, they should mutually salute without delay.

7. The provisions of this article shall be subject to the provisions of article 1026.4.

1022. Notification of Gun Salute.

Whenever practicable, an official or officer to be saluted shall be notified of the salute and the time that it is to be fired.

1023. Procedure During a Gun Salute.

1. The interval between guns in salutes normally shall be five seconds.

2. During the gun salute, persons on the quarter-deck, or in the ceremonial party, if ashore, shall render the hand salute; observers on deck, or in the vicinity of the ceremonial party if ashore, shall stand at attention facing the personage, or if he is not in view, toward the ceremonial party, and if in uniform, shall salute.

3. Officers being saluted shall render the hand salute during the firing of the gun salute.

4. The boat or vehicle in which a person being saluted is embarked shall be stopped, if practicable to do so, during the firing of the gun salute.

1024. Inability to Render or Return a Gun Salute.

1. A gun salute shall not be fired when a return salute is required and cannot be fired, but shall be considered as having been rendered and returned.

2. In cases where, from any special cause, a ship, from which a salute in compliment to a foreign power or official may reasonably be expected, is unable to salute, the circumstances are to be explained immediately to the representative of such foreign power.

3. In cases where, from any special circumstances, the failure to salute cannot be explained without giving offense to a foreign power or official, salutes shall be fired by any ship which can do so with safety.

1025. Returning Gun Salutes.

1. The following rules shall be observed by United States ships and stations:

a. A salute fired to the nation by a foreign ship arriving in port shall be returned gun for gun.

b. A salute fired to a flag or general officer by a foreign ship or station shall be returned gun for gun.

c. A salute fired in honor of the President of the United States, or of the Secretary of State when acting as special representative of the President, shall not be returned.

d. A salute fired in honor of any official or officer on the occasion of an official visit or inspection shall not be returned.

e. A salute fired by his flagship or headquarters in honor of a flag or general officer shall not be returned.

f. A salute fired in honor of an anniversary, celebration, or solemnity shall not be returned.

g. Subject to the provisions of this article, a salute fired in honor of a United States officer or official shall be returned with the number of guns specified for the grade of the flag or general officer rendering the salute, or, if not a flag or general officer, with seven guns.

2. No return salute may be expected in the case of a salute fired by a United States ship or station in honor of a foreign sovereign, head of state, member of a reigning royal family, or special representative of a head of state, or on the occasion of a foreign anniversary, celebration, or solemnity, or on the occasion of an official visit; otherwise a salute fired in honor of a foreign nation, or of a foreign official or officer, may be expected to be returned gun for gun.

1026. Restrictions on Gun Salutes.

1. In the presence of the President of the United States, or the president, sovereign, or a member of the reigning royal family of a foreign nation, no gun salute which may be prescribed elsewhere in these regulations shall be fired to any other official of lesser rank of that nation.

2. When two or more officials or officers, each entitled to a gun salute, make an official visit in company to a ship or station, only the senior shall be saluted. If they arrive or depart at different times, each shall be rendered the gun salute to which he is entitled.

3. Salutes shall not be fired in ports or locations where they are forbidden by local regulations.

4. No official or officer, United States or foreign, except those entitled to 17 or more guns, shall be saluted by the same ship or station more than once in twelve months unless, and subject to the other provisions of these regulations, such official or officer has been advanced in grade, makes an official visit or inspection, or is on special duty in which international

courtesy is involved or exceptional circumstances exist; in which latter case the commanding officer, in the absence of instructions, shall exercise his discretion.

5. No officer, except a flag or general officer, shall be saluted with guns except in return for a gun salute rendered by him.

6. No officer of the armed services, while in civilian clothes, shall be saluted with guns, unless such officer is at the time acting in an official civil capacity.

7. No salute shall be fired between sunset and sunrise, before 0800, or on Sunday except when international courtesy so dictates, or when related to death ceremonies. Subject to the provisions of this paragraph, a gun salute in honor of an official or officer who arrives before 0800 shall be fired at 0800; provided, that if the day is Sunday the salute shall be fired on Monday; and further provided, that the salute shall not be fired if the official or officer has departed meanwhile. In case of a gun salute at 0800, the first gun of the salute shall be fired immediately upon the completion of Morning Colors or the last note of the last national anthem.

1027. ''Passing Honors'' and ''Close Aboard'' Defined.

''Passing honors'' are those honors, other than gun salutes, rendered on occasions when ships or embarked officials or officers pass, or are passed, close aboard. ''Close aboard'' shall mean passing within six hundred yards for ships and four hundred yards for boats. These rules shall be interpreted liberally, to insure that appropriate honors are rendered.

1028. Passing Honors Between Ships.

1. Passing honors, consisting of sounding ''Attention'' and rendering the hand salute by all persons in view on deck and not in ranks, shall be exchanged between ships of the Navy and between ships of the Navy and the Coast Guard, passing close aboard.

2. In addition, the honors prescribed in the following table shall be rendered by a ship of the Navy passing close aboard a ship or naval station displaying the flag of the officials indicated therein; and by naval stations, insofar as practicable, when a ship displaying such flag passes close aboard. These honors shall be acknowledged by rendering the same honors in return.

Official	Uniform	Ruffles and flourishes	Music	Guard	Remarks
President	As prescribed by senior officer present.	4	National Anthem	Full	Man rail, unless otherwise directed by senior officer present.
Secretary of State when special foreign representative of the President.	----do----------	4	----do----------	----do---	Crew at quarters.
Vice President	Of the day ----	--------	Hail Columbia	----do---	Do.
Secretary of Defense, Deputy Secretary of Defense, Secretary of the Navy or Director of Defense Research and Engineering	----do----------	--------	National Anthem	----do---	Do.
An Assistant Secretary of Defense, Under Secretary or an Assistant Secretary of the Navy.	----do----------	--------	----do----------	----do---	Do.

1029. Passing Honors to Officials and Officers Embarked in Boats.

1. The honors prescribed in this table shall be rendered by a ship of the Navy being passed close aboard by a boat displaying the flag or pennant of the following officials and officers.

Official	Ruffles and flourishes	Music	Guard	Remarks
President	4	National Anthem	Full	"Attention" sounded, and salute by all persons in view on deck. If directed by the senior officer present, man rail.
Secretary of State when special foreign representative of President.	4	do	do	"Attention" sounded, and salute by all persons in view on deck.
Vice President	4	Hail Columbia	do	Do.
Secretary of Defense, Deputy Secretary of Defense, Secretary of the Navy, Director of Defense Research and Engineering, an Assistant Secretary of Defense, Under Secretary or an Assistant Secretary of the Navy.	4	Admiral's March	do	Do.
Other civil officials entitled to honors on official visit.				Do.
Officer of an armed service				Do.

2. Persons on the quarter-deck shall salute when a boat passes close aboard in which a flag officer, a unit commander or a commanding officer is embarked under the following circumstances:

a. When the officer in the boat is in uniform as indicated by the display of the national ensign in United States ports; or

b. When a miniature of a flag or pennant is displayed in addition to the national ensign in foreign ports.

1030. Passing Honors to Foreign Dignitaries and Warships.

1. The honors prescribed for the President of the United States shall be rendered by a ship of the Navy being passed close aboard by a ship or boat displaying the flag or standard of a foreign president, sovereign, or member of a reigning royal family, except that the foreign national anthem shall be played in lieu of the National Anthem of the United States.

2. Passing honors shall be exchanged with foreign warships passed close aboard and shall consist of parading the guard of the day, sounding "Attention," rendering the salute by all persons in view on deck, and playing the foreign national anthem.

1031. Sequence in Rendering Passing Honors.

1. "Attention" shall be sounded by the junior when the bow of one ship passes the bow or stern of the other, or, if a senior be embarked in a boat, before the boat is abreast, or nearest to abreast, the quarter-deck.

2. The guard, if required, shall present arms, and all persons in view on deck shall salute.

3. The music, if required, shall sound off.

4. "Carry on" shall be sounded when the prescribed honors have been rendered and acknowledged.

1032. Dispensing With Passing Honors.

1. Passing honors shall not be rendered after sunset or before 0800 except when international courtesy requires.

2. Passing honors shall not be exchanged between ships of the Navy engaged in tactical evolutions outside port.

3. The senior officer present may direct that passing honors be dispensed with in whole or in part.

4. Passing honors shall not be rendered by nor be required of ships with small bridge areas, such as submarines, particularly when in restricted waters.

1033. Crew at Quarters on Entering or Leaving Port.

The crew shall be paraded at quarters during daylight on entering or leaving port on occasions of ceremony except when weather or other circumstances make it impracticable or undesirable to do so. Ordinarily, occasions of ceremony shall be construed as visits that are not operational; at homeport when departing for or returning from a lengthy deployment; and visits to foreign ports not visited recently; and other special occasions so determined by a superior. In lieu of parading the entire crew at quarters, an honor guard may be paraded in a conspicuous place on weather decks.

1034. Definitions.

1. The term "official visit" shall be construed to mean a formal visit of courtesy requiring special honors and ceremonies.

2. The term "call" shall be construed to mean an informal visit of courtesy requiring no special ceremonies.

1035. Table of Honors for Official Visits of United States Officers.

Except as modified or dispensed with by these regulations, the honors prescribed in this table shall be rendered by a ship or station on the occasion of the official visits of the following United States officers (ashore, the single gun salute, when prescribed below, shall be fired on arrival instead of on departure):

Officer	Uniform	Gun Salute		Bugles and Drums	Music	Guard	Side boys[2]
		Arrival	Departure				
Chairman, Joint Chiefs of Staff[3]	Full dress	19	19	4	General's or Admiral's march	Full	8
Chief of Staff, U.S. Army[3]	do	19	19	4	General's march	do	8
Chief of Naval Operations[3, 6]	do	19	19	4	Admiral's march	do	8
Chief of Staff, U.S. Air Force[3]	do	19	19	4	General's march	do	8
Commandant of the Marine Corps[3, 6]	do	19	19	4	Admiral's march	do	8
General of the Army[3]	do	19	19	4	General's march	do	8
Fleet Admiral[3]	do	19	19	4	Admiral's march	do	8
General of the Air Force[3]	do	19	19	4	General's march	do	8
Generals[4]	do	17	17	4	do[1]	do	8
Admirals[4]	do	17	17	4	Admiral's march	do	8
Naval or other Military Governor, commissioned as such by the President, within the area of his jurisdiction.	do		17	4	General's[1] or Admiral's march	do	8
Vice Admiral or Lieutenant General[5]	do		15	3	do[1]	do	8
Rear Admiral or Major General	do		13	2	do[1]	do	6
Commodore or Brigadier General	do		11	1	do[1]	do	4
Captain, Commander, Colonel, or Lieutenant Colonel	Of the day					Of the day	4
Other commissioned officers	do					do	2

[1]Marine Corps general officers receive the Admiral's March.

[2]Not appropriate on shore installations.

[3]Take precedence, in order, after Secretary of the Air Force. (Art. 1035 Table)

[4]Take precedence, after Under Secretary of the Air Force. (Art. 1036 Table)

[5]Take precedence, after other Under Secretaries of Cabinet. (Art. 1036 Table)

[6]On official occasions, honors may be rendered to retired flag and general officers with their permission and at discretion of local commanders. Honors so rendered will be in accord with retired grade except former Chiefs of Naval Operations and former Commandants of the Marine Corps will receive the honors prescribed for these officers.

1036. Table of Honors for Official Visits of United States Civil Officials.

Except as modified or dispensed with by these regulations, the honors prescribed in this table shall be rendered by a single ship or station on the occasion of the official visit of the following United States civil officials, (Ashore, the single gun salute, when prescribed below, shall be fired on arrival instead of on departure.)

HONORS AND CEREMONIES [5]

Official	Uniform	Gun Salute		Ruffles and Flourishes	Music	Guard	Side boys [4]	Crew [4]	Within what limits	Flag [1]		
		Arrival	Departure							What	Where	During
The President	Full Dress	21	21	4	National Anthem [1]	Full	8	Man Rail		President's	Main Truck	Visit
Former Presidents	Do		21	4	Admiral's March	Do	8	Quarters		National	Do	Salute
Vice President	Do		19	4	Hail Columbia	Do	8	Quarters		Vice President's	Do	Visit
Governor of a State	Do		19	4	Admiral's March	Do	8		Area under his jurisdiction	National	Fore Truck	Salute
Speaker of the House of Representatives	Do		19	4	Do	Do	8			Do	Do	Do
The Chief Justice of the United States	Do		19	4	Do	Do	8			Do	Do	Do
Ambassador, High Commissioner, or special diplomatic representative whose credentials give his authority equal to or greater than that of an Ambassador	Do		19	4	National Anthem	Do	8		Nation or nations to which accredited	Do	Do	Do
Secretary of State	Do		19	4	Do	Do	8			Do	Do	Do
U.S. Representative to the U.N.	Do		19	4	Admiral's March	Do	8			Do	Do	Do
Associate Justices of the Supreme Court	Do		19	4	Do	Do	8			Do	Do	Do
Secretary of Defense	Do	19	19	4	Honor's March [3]	Do	8	Quarters		Secretary's	Main Truck	Visit

HONORS AND CEREMONIES [5]

Official	Uniform	Gun Salute		Ruffles and Flourishes	Music	Guard	Side boys [4]	Crew [4]	Within what limits	Flag		
		Arrival	Departure							What	Where	During
Cabinet Officers (other [2] than Secretaries of State and Defense)	Full Dress		19	4	Admiral's March	Full	8			National	Fore Truck	Salute
President Pro Tempore of Senate	Do		19	4	Admiral's March	Do	8			Do	Do	Do
United States Senators	Do		19	4	Do	Do	8			Do	Do	Do
Governor of a State of the United States	Do		19	4	Do	Do	8		Out of jurisdiction	Do	Do	Do
Members of the House of Representatives	Do		19	4	Do	Do	8			Do	Do	Do
Deputy Secretary of Defense	Do	19	19	4	Honor's [3] March	Do	8	Quarters		Deputy Secretary's	Main Truck	Visit
Secretary of the Army	Do	19	19	4	Do	Do	8			National	Fore Truck	Salute
Secretary of the Navy	Do	19	19	4	Do	Do	8	Quarters		Secretary's	Main Truck	Visit
Secretary of the Air Force	Do	19	19	4	Do	Do	8			National	Fore Truck	Salute
Director of Defense Research and Engineering	Do	19	19	4	Do	Do	8	Quarters		Director's	Main Truck	Visit
Assistant Secretaries of Defense and General Counsel of DoD	Do	17	17	4	Do	Do	8	Quarters		Assistant Secretary's	Do	Do
Under Secretary of the Army	Do	17	17	4	Do	Do	8			National	Fore Truck	Salute
Under Secretary of the Navy	Do	17	17	4	Do	Do	8	Quarters		Under Secretary's	Main Truck	Visit
Under Secretary of the Air Force	Do	17	17	4	Do	Do	8			National	Fore Truck	Salute
Assistant Secretaries of the Army	Do	17	17	4	Do	Do	8			National	Do	Do

HONORS AND CEREMONIES[5]

Official	Uniform	Gun Salute		Ruffles and Flourishes	Music	Guard	Side boys[4]	Crew[4]	Within what limits	Flag		
		Arrival	Departure							What	Where	During
Assistant Secretaries of the Navy	Full Dress	17	17	4	Honor's[3] March	Full	8	Quarters		Assistant Secretary's	Main Truck	Visit
Assistant Secretaries of the Air Force	Do	17	17	4	Do	Do	8			National	Fore Truck	Salute
Governor General or Governor of a Commonwealth or Possession of the United States, or area under United States jurisdiction	Do		17	4	Admiral's March	Do	8		Area under his jurisdiction	Do	Do	Do
Other Under Secretaries of Cabinet, and the Deputy Attorney General	Do		17	4	Do	Do	8			Do	Do	Do
Envoy Extraordinary and Minister Plenipotentiary	Do		15	3	Do	Do	8		Nation to which accredited	Do	Do	Do
Minister Resident	Do		13	2	Do	Do	6		Do	Do	Do	Do
Chargé d' Affaires	Do		11	1	Do	Do	6		Do	Do	Do	Do
Career Minister, or Counselor of Embassy or Legation	Do			1	Do	Do	6		Do			
Consul General; or Consul or Vice Consul or Deputy Consul General when in charge of a Consulate General	Do		11	1	Do	Do	6		District to which assigned	Do	Do	Do
First Secretary of Embassy or Legation	Of the day					Of the day	4		Nation to which accredited			
Consul; or Vice Consul when in charge of a Consulate	Do		7			Do	4		District to which assigned	Do	Do	Do
Mayor of an incorporated city	Do					Do	4		Within limits of mayoralty			
Second or Third Secretary of Embassy or Legation	Do						2		Nation to which accredited			

HONORS AND CEREMONIES[5]

Official	Uniform	Gun Salute		Ruffles and Flourishes	Music	Guard	Side boys[4]	Crew[4]	Within what limits	Flag		
		Arrival	Departure							What	Where	During
Vice Consul when only representative of United States, and not in charge of a Consulate General or Consulate	Of the day		5			Of the day	2		District to which assigned	National	Fore Truck	Salute
Consular Agent when only representative of the United States	Do						2		Do			

[1]See Article regarding musical honors to President

[2]In the order of precedence as follows:
Secretary of State
Secretary of the Treasury
Secretary of Defense
Attorney General

Secretary of the Interior
Secretary of Agriculture
Secretary of Commerce
Secretary of Labor
Secretary of Health, Education, and Welfare
Secretary of Housing and Urban Development
Secretary of Transportation

[3]12-bar melody in the trio of "Stars and Stripes Forever"

[4]Not appropriate on shore installations

[5]Note: [illegible] considered as a precedence list

1037. Table of Honors for Official Visits of Foreign Officials and Officers.

Except as modified or dispensed with by these regulations, the honors prescribed in this table shall be rendered by a ship or station on the occasion of the official visit of the following foreign officials and officers (shore, the single gun salute, when prescribed below, shall be fired on arrival instead of on departure):

Official or officer	Uniform	Gun Salute		Ruffles and Flourishes	Music	Guard	Side boys[1]	Crew[1]	Flag		
		Arrival	Departure						What	Where	During
President or Sovereign.	Full dress	21	21	4	Foreign national anthem	Full	8	Man rail	Foreign ensign	Main Truck	Visit
Member of reigning royal family.	do	21	21	4	do	do	8	do	do	do	Salute
Prime Minister or other cabinet officer.	do		19	4	Admiral's march	do	8		do	Fore Truck	do
Officer of armed forces, diplomatic or consular representative in country to which accredited, or other distinguished official.	Civil officials: Honors as for official of the United States of comparable position. For example, foreign civil officials, occupying positions comparable to U.S. Department of Defense civil officials, shall receive equivalent honors. Officers of Armed Forces: Honors as for officer of the United States of the same grade, except, that equivalent honors shall be rendered to foreign officers who occupy a position comparable to Chairman JCS, CNO, Chief of Staff Army, Chief of Staff Air Force, or CMC.										
Official not herein provided for.	Honors as prescribed by the senior officer present; such honors normally shall be those accorded the foreign official when visiting officially a ship of his own nation, but a gun salute, if prescribed, shall not exceed 19 guns.										

[1] Not appropriate on shore installations.

1038. Table of Precedence of Diplomatic and Consular Representatives.

A diplomatic representative in a country to which accredited, and a consular representative in a district to which assigned, takes precedence as follows:

Official	Takes precedence
Chief of a United States diplomatic mission, including a Charg'e d' Affaires.[1]	Over any officer of the armed services of the United States; and over any United States civil official, except the Secretary of State, whose official salute is less than 21 guns.
Career Minister	With, but before, commodore or brigadier general.
Counselor First Secretary, when no Counselor is assigned Consul General, or Consul or Vice Consul or Deputy Consul General when in charge of a Consulate General	With, but after, commodore or brigadier general
First Secretary, when a Counselor is assigned Consul or Vice Consul when in charge of a Consulate	With, but after, captain in the Navy.
Second Secretary Vice Consul Third Secretary Consular Agent	With, but after, lieutenant in the Navy.

[1] An acting chief of a United States diplomatic mission when holding the title of Charg'e d' Affaires takes precedence as specified in this table but shall be accorded the honors specified for a Charg'e d' Affaires on the occasion of an official visit.

1039. Official Visits to the President and to Civil Officials of Department of Defense.

When the President, the Secretary of Defense, Deputy Secretary of Defense, the Secretary of the Navy, Director of Defense Research and Engineering, an Assistant Secretary of Defense, the Under Secretary of the Navy, or an Assistant Secretary of the Navy, away from the seat of government, arrives in the vicinity of a naval command, the senior officer present shall, if practicable and appropriate, pay him an official visit. Such visit ordinarily is not returned.

1040. Official Visits and Calls Among Officers of the Naval Service.

1. An officer assuming command shall, at the first opportunity thereafter, make an official visit to the senior to whom he has reported for duty in command, and to any successor of that senior; except that for shore commands a call shall be made in lieu of such official visit.

2. Unless dispensed with by the senior, calls shall be made:

a. By the commander of an arriving unit upon his immediate superior in the chain of command if present; and, when circumstances permit, upon the senior officer present.

b. By an officer in command upon an immediate superior in the chain of command on the arrival of the latter.

c. By an officer who has been the senior officer present, upon his successor.

d. By the commander of a unit arriving at a naval base or station upon the commander of such base or station; except that when the former is senior, the latter shall make the call.

e. By an officer reporting for duty, upon his commanding officer.

3. When arrivals occur after 1600, or on Sunday, or on a holiday, the required calls may be postponed until the next working day.

1041. Official Visits or Calls Between Officers of the Naval Service and Other Armed Services.

When in the vicinity of a command of another armed service of the United States, the senior officer present in the naval service shall arrange with the commander concerned for the exchange of official visits, or calls, as appropriate.

1042. Official Visits With United States Diplomatic and Consular Representatives.

1. Upon arrival in a foreign port where United States diplomatic or consular representatives accredited to that foreign government are present, the senior officer present, shall, if time and circumstances permit, exchange official visits with both the senior diplomatic representative, and the senior consular representative present. When practicable, prior notice of his arrival in port, and the probable duration of stay, shall be given to such representative. A suitable boat shall be furnished them for making official visits.

2. Officers of the naval service shall make the first visit to the chief of a diplomatic mission of or above the rank of charge d'affaires.

3. In the exchange of visits with consular representatives, officers in the naval service shall make or receive the first official visit in accordance with their relative precedence with the consular representatives concerned, as set forth in the precedence table of this chapter.

1043. Official Visits With Governors of United States Territories, Commonwealths, and Possessions.

1. At the seat of government of a United States territory, commonwealth or possession having a governor general or governor commissioned as such by the President, the senior officer present shall, within twenty-four hours after arrival or assuming command, make an official visit to the governor general or governor; or in his absence to the acting governor general or governor.

2. When the senior officer permanently established in command ashore in such territory, commonwealth or possession is not the senior officer present, he shall also make an official visit to the governor general or governor as soon as practicable after assuming command.

3. Similar visits shall be made whenever a governor general or governor assumes office.

4. A flag or general officer may expect such visits to be returned in person by the official to whom it was made. Other officers may expect such visits to be returned by a suitable representative.

5. The provisions of this article shall apply in the case of an officer of the armed services commissioned as governor general or governor by the President, regardless of his naval or military rank.

6. Modification of the provisions of this article may be effected upon agreement with the governor general or governor.

1044. Official Visits With Foreign Officials and Officers.

1. The senior officer present shall make official visits to foreign officials and officers as custom and courtesy demand.

2. When in doubt as to what foreign officials and officers are to be visited, saluted, or otherwise honored, or as to the rank of any official or officer, or whether a gun salute involving a return will be returned, the senior officer present shall send an officer to obtain the required information.

3. When exchanging official visits with a foreign officer who occupies a position comparable to the Chairman, Joint Chiefs of Staff, Chief of Staff, U. S. Army, Chief of Naval Operations, Chief of Staff, U. S. Air Force, or Commandant of the Marine Corps, the rank of the foreign officer shall be considered equivalent to these United States officers and the first official visit shall be made accordingly.

4. The following rules, in which the maritime powers generally have concurred, shall be observed by officers of the naval service, and their observance by foreign officers may be expected:

a. The senior officer present shall, upon the arrival of foreign warships, send an officer to call upon the officer in command of the arriving ships to offer customary courtesies and exchange information as appropriate; except that in a foreign port such calls shall be made only if the officer in command of the arriving ships is the senior officer present afloat of his nation. This call will be returned at once.

b. Within twenty-four hours after arrival, the senior officer in command of arriving ships shall, if he be the senior officer present of his nation, make an official visit to the senior officer present of each foreign nation who holds a grade equal or superior to his; and the senior officer present of each foreign nation who holds a grade junior to his will make an official visit to him within the same time limit.

c. After the interchange of visits between the senior officers specified above, other flag officers in command and the commanding officers of ships arriving shall exchange official visits, when appropriate, with the flag and commanding officers of ships present. An arriving officer shall make the first visits to officers present who hold grades equal or superior to his, and shall receive the first visits from others.

d. It is customary for calls to be exchanged by committees of wardroom officers of the ships of different nations present, in the order in which their respective commanding officers have exchanged visits.

e. Should another officer become the senior officer present of a nation, he shall exchange official visits with foreign senior officers present as prescribed in this article.

1045. Uniform for Official Visits.

Unless otherwise prescribed by the senior concerned:

a. A junior making an official visit shall wear the uniform prescribed in the tables of this chapter opposite the grade of the senior to whom the visit is made.

b. A senior returning an official visit shall wear the uniform corresponding to that which the junior has worn.

c. An officer receiving an official visit, and all participants in the reception, including the crew if paraded, shall wear the uniform prescribed in the tables of this chapter opposite the grade of the official or officer from whom the visit is received.

d. Boat crews shall wear the uniform corresponding to that worn by the senior officer embarked.

1046. Honors on Departure for, or Return From, an Official Visit.

An officer leaving or returning to his flagship or command upon the occasion of an official visit shall be rendered the honors prescribed for an official visit except that, aboard his flagship, the uniform of the day normally shall be worn and gun salutes shall not be fired.

1047. Procedure for Official Visits.

1. The honors prescribed for an official visit shall be rendered on arrival as follows:

a. When the rail is manned, men shall be uniformly spaced at the rail on each weather deck, facing outboard.

b. "Attention" shall be sounded as the visitor's boat or vehicle approaches the ship.

c. If a gun salute is prescribed on arrival, it shall be fired as the visitor approaches and is still clear of the side. The prescribed flag or pennant shall be broken on the visited ship on the first gun and hauled down on the last gun except where prescribed in the Table of Honors for the duration of the visit. Other ships firing a concurrent salute shall on the last gun haul down the flag or pennant displayed in honor of the visitor. If the ship being visited is moored to a pier in such a position that it is not practicable to render the gun salute prior to the arrival on board, the salute shall be rendered, provided local regulations do not forbid gun salutes, after the official has arrived on board and the commanding officer has assured himself that the official and his party are moved to a position in the ship that is well clear of the saluting battery.

d. The boat or vehicle shall be piped as it comes alongside.

e. The visitor shall be piped over the side, and all persons on the quarter-deck shall salute and the guard shall present arms until the termination of the pipe, flourishes, music, or gun salute, whichever shall be the last rendered. If the gun salute is not prescribed on arrival and a flag or pennant is to be displayed during the visit, it shall be broken at the start of the pipe.

f. The piping of the side, the ruffles and flourishes, and the music shall be rendered in the order named. In the absence of a band, "To the Colors" shall be sounded by bugle in lieu of the National Anthem, when required.

g. The visitor, if entitled to 11 guns or more, shall be invited to inspect the guard upon completion of such honors as may be rendered.

2. The honors prescribed for an official visit shall be rendered on departure as follows:

a. The rail shall be manned, if required.

b. ''Attention'' shall be sounded as the visitor arrives on the quarter-deck.

c. At the end of leave taking the guard shall present arms, all persons on the quarter-deck shall salute, and the ruffles and flourishes, followed by the music, shall be rendered. As the visitor enters the line of side boys, he shall be piped over the side. The salute and present arms shall terminate with the pipe; and, unless a gun salute is to be fired, a flag or pennant displayed in honor of the visitor shall be hauled down.

d. The boat or vehicle shall be piped away from the side.

e. If a gun salute is prescribed on departure, it shall be fired when the visitor is clear of the side and the flag or pennant displayed in honor of the visitor shall be hauled down with the last gun of the salute.

3. The same honors and ceremonies as for an official visit to a ship of the Navy shall be rendered, insofar as practicable and appropriate, on the occasion of an official visit to a naval station except that manning the rail, piping the side, and parading side boys are not considered appropriate. When, in the opinion of the senior officer present, such honors will serve a definite purpose, they may be rendered.

1048. Returning Official Visits and Calls.

1. An official visit shall be returned within twenty-four hours, when practicable.

2. A flag or general officer shall, circumstances permitting, return the official visits of officers of the grade of captain in the Navy or senior thereto, and to officials of corresponding grade. He may send his chief of staff to return other official visits.

3. Officers other than flag or general officers shall personally return all official visits.

4. Flag and general officers may expect official visits to be returned in person by foreign governors, officers, and other high officials except chiefs of state. Other officers may expect such visits to be returned by suitable representatives.

5. Calls made by juniors upon seniors in the naval service shall be returned as courtesy requires and circumstances permit; calls made by persons not in the naval service shall be returned.

1049. Side Honors.

1. On the arrival and departure of civil officials and foreign officers, and of United States officers when so directed by the senior officer present, the side shall be piped and the appropriate number of side boys paraded.

2. Officers appropriate to the occasion shall attend the side on the arrival and departure of officials and officers.

1050. Dispensing With Side Boys and Guard and Band.

1. Side boys shall not be paraded on Sunday, or on other days between sunset and 0800, or during meal hours of the crew, general drills and evolutions, and periods of regular overhaul; except in honor of civil officials or foreign officers, when they may be paraded at any time during daylight. Side boys shall be paraded only for scheduled visits.

2. Except for official visits and other formal occasions, side boys shall not be paraded in honor of officers of the armed services of the United States, unless otherwise directed by the senior officer present.

3. Side boys shall not be paraded in honor of an officer of the armed services in civilian clothes, unless such officer is at the time acting in an official civil capacity.

4. The side shall be piped when side boys are paraded, but not at other times.

5. The guard and band shall not be paraded in honor of the arrival or departure of an individual at times when side boys in his honor are dispensed with except at naval shore installations.

1051. Uniform for Members of the Marine Corps.

Members of the Marine Corps will wear dress uniform when full dress is prescribed for naval personnel.

1052. Honors to an Official Entitled to 19 or More Guns.

An official or officer entitled to a salute of 19 or more guns shall receive the honors for an official visit, subject to the regulations pertaining to gun salutes, on the occasion of every visit.

1053. Honors for a Flag or General Officer, or Unit Commander, Assuming or Relieving Command.

1. On the occasion of a flag or general officer or unit commander assuming command, and on the departure of such officer after being relieved, honors shall be rendered as for an official visit; subject to the regulations pertaining to gun salutes.

2. If the flag officer or unit commander is assuming a command, he shall read his orders to the assembled officers and crew, immediately after which his flag or command pennant shall be broken, and a gun salute, if required by these regulations, shall be fired.

3. If the flag officer or unit commander is relieving another officer in command, the officer being relieved shall read his orders

to the assembled officers and crew, and on completion thereof, or after the gun salute, if fired, his flag or command pennant shall be hauled down. The officer succeeding to command shall then read his orders, and on the completion thereof his flag or command pennant shall be broken. Aboard ship the commission pennant shall be displayed while no personal flag or command pennant is flying.

1054. Honors at Official Inspection.

1. When a flag officer or unit commander boards a ship of the Navy to make an official inspection, honors shall be rendered as for an official visit, except that the uniform shall be as prescribed by the inspecting officer. His flag or command pennant shall be broken upon his arrival, unless otherwise prescribed in these regulations, and shall be hauled down on his departure.

2. The provisions of this article shall apply, insofar as practicable and appropriate, when a flag or general officer, in command ashore, makes an official inspection of a unit of his command.

1055. Honors for a Civil Official Taking Passage.

When a civil official of the United States takes passage officially in a ship of the Navy, he shall on embarking and disembarking be rendered honors as prescribed for an official visit for such official. In addition, if entitled to a gun salute, he shall be rendered this salute when he disembarks in a port of the foreign nation to which he is accredited.

1056. Quarter-Deck.

The commanding officer of a ship shall establish the limits of the quarter-deck and the restrictions as to its use. The quarter-deck shall embrace so much of the main or other appropriate deck as may be necessary for the proper conduct of official and ceremonial functions.

1057. Musical Honors to the President of the United States.

1. If, in the course of any ceremony, it is required that honors involving musical tribute to the President of the United States be performed more than one time, "Hail to the Chief" may be used interchangeably with the National Anthem as honors to the President of the United States.

2. When specified by the President of the United States, the Secretary of State, the Chief of the Secret Service, or their authorized representatives, "Hail to the Chief" may be used as an opportunity for the President and his immediate party to move to or from their places while all others stand fast.

1058. Authorized Display of Flags and Pennants.

1. When the national ensign is displayed on occasions other than those prescribed in these regulations, the manner of display shall be as prescribed in Navy Department publications.

2. No flags or pennants, other than as prescribed by these regulations or as may be directed by the Secretary of the Navy, shall be displayed from a ship or craft of the Navy, or from a naval station, as an honor to a nation or an individual or to indicate the presence of any individual.

3. All flags and pennants displayed in accordance with these regulations shall conform to the pattern prescribed in Navy Department publications.

4. Flags or pennants of officers not eligible for command at sea shall not be displayed from ships of the United States Navy.

1059. Display of National Ensign, Union Jack and Distinctive Mark From Ships and Craft.

1. The national ensign, union jack, personal flag or pennant, or commission pennant shall be displayed from ships and craft of the Navy as specified in the following table:

Ships or craft	National ensign displayed	Union jack displayed	Personal flag, command pennant, or commission pennant displayed
Active:			
In commission	Yes	Yes	Yes.
In service	Yes	Yes	No.[2]
Inactive:			
In commission, in reserve.	Yes	Yes	Yes.
In service, in reserve	Yes	Yes	No.
Out of commission, in reserve.	No[1]	No	No.
Out of service, in reserve.	No[1]	No	No.
Special status:			
In commission, special.	Yes	Yes	Yes
In service, special	Yes	Yes	No.
Out of Commission, special.	No[1]	No	No.
Out of service, special.	No[1]	No	No.

[1] National ensign shall be displayed if necessary to indicate the national character of the ship or craft.

[2] Applies to display of commission pennant only. A flag officer or unit commander embarked may display a personal flag or command pennant.

2. The distinctive mark of a ship or craft of the Navy in commission shall be a personal flag or command pennant of an officer of the Navy, or a commission pennant. The distinctive mark of a hospital ship of the Navy, in commission, shall be the Red Cross flag.

a. Not more than one distinctive mark shall be displayed by a ship or craft at one time, nor shall the commission pennant and the personal flag of a civil official be displayed at one time.

b. Except as prescribed in these regulations for certain occasions of ceremony and when civil officials are embarked, the distinctive mark shall be displayed day and night at the after masthead or, in a mastless ship, from the loftiest and most conspicuous hoist.

3. When not underway the national ensign and the union jack shall be displayed from 0800 until sunset from the flagstaff and the jack staff respectively. A ship which enters port at night shall, when appropriate, display the national ensign from the gaff at daylight for a time sufficient to establish her nationality; it is customary for other ships of war to display their national ensigns in return.

4. The national ensign shall be displayed during daylight from the gaff (or from the triatic stay in the case of those ships with mast mounted booms and stays which would interfere with the hoisting, lowering or flying of the ensign) of a ship under way under the following circumstances, unless or as otherwise directed by the senior officer present.

a. Getting underway and coming to anchor.

b. Falling in with other ships.

c. Cruising near land.

d. During battle.

5. The union jack displayed from the jack staff shall be the size of the union of the national ensign displayed from the flagstaff.

6. The union jack shall be displayed at a yardarm to denote that a general court-martial or court of inquiry is in session.

1060. National Ensign at Commands Ashore.

The national ensign shall be displayed from 0800 to sunset near the headquarters of every command ashore, or at the headquarters of the senior when the proximity of headquarters of two or more commands makes the display of separate ensigns inappropriate. When an outlying activity of the command is so located that its governmental character is not clearly indicated by the display of the national ensign as prescribed above, the national ensign shall also be displayed at that activity.

1061. Display of National Ensign During Gun Salute.

1. A ship of the Navy shall display the national ensign at a masthead while firing a salute in honor of a United States national anniversary or officials, as follows:

a. At the main during the national salute prescribed for the third Monday in February and the 4th of July.

b. At the main during a 21-gun salute to a United States civil official, except by a ship displaying the personal flag of the official being saluted.

c. At the fore during a salute to any other United States civil official, except by a ship which is displaying the personal flag of the official being saluted.

2. During a gun salute, the national ensign shall remain displayed from the gaff or the flagstaff, in addition to the display of the national ensign prescribed in this article.

1062. Display of National Ensign in Boats.

The national ensign shall be displayed from water-borne boats of the naval service:

a. When under way during daylight in a foreign port.

b. When ships are required to be dressed or full-dressed.

c. When going alongside a foreign vessel.

d. When an officer or official is embarked on an official occasion.

e. When a flag or general officer, a unit commander, a commanding officer, or a chief of staff, in uniform, is embarked in a boat of his command or in one assigned to his personal use.

f. At such other times as may be prescribed by the senior officer present.

1063. Dipping the National Ensign.

1. When any vessel, under the United States registry or the registry of a nation formally recognized by the Government of the United States, salutes a ship of the Navy by dipping her ensign, it shall be answered dip for dip. If not already being displayed, the national ensign shall be hoisted for the purpose of answering the dip. An ensign being displayed at half-mast shall be hoisted to the truck or peak before a dip is answered.

2. No ship of the Navy shall dip the national ensign unless in return for such compliment.

3. Of the colors carried by a naval force on shore, only the battalion or regimental colors shall be dipped in rendering or acknowledging a salute.

4. Submarines, or such other ships of the line in which it would be considered hazardous for personnel to do so, shall not be required to dip the ensign.

1064. Half-Masting the National Ensign and Union Jack.

1. In half-masting the national ensign it shall, if not previously hoisted, first be hoisted to the truck or peak and then lowered to half-mast. Before lowering from half-mast, the ensign shall be hoisted to the truck or peak and then lowered.

2. When the national ensign is half-masted, the union jack, if displayed from the jack staff, shall likewise be half-masted.

3. Personal flags, command pennants, and commission pennants shall not be displayed at half-mast except as prescribed in these regulations for a deceased official or officer.

4. When directed by the President the national ensign shall be flown at half-staff at military facilities and naval vessels and stations abroad whether or not the national ensign of another nation is flown ful-staff alongside that of the United States.

1065. Following Motions of Senior Officer Present in Hoisting and Lowering the National Ensign.

1. On board ship or at a command ashore, upon all occasions of hoisting, lowering, or half-masting the national ensign, the motions of the senior officer present shall be followed, except as prescribed for answering a dip or firing a gun salute.

2. A ship displaying the flag of the President, Secretary of Defense, Deputy Secretary of Defense, Secretary of the Navy, Director of Defense Research and Engineering, an Assistant Secretary of Defense, Under Secretary of the Navy, or an Assistant Secretary of the Navy shall be regarded as the ship of the senior officer within the meaning of this article.

1066. Personal Flags and Pennants Afloat.

1. Except as otherwise prescribed in these regulations, a flag officer or a unit commander afloat shall display his personal flag or command pennant from his flagship. At no time shall he display it from more than one ship.

2. When a flag officer eligible for command at sea is embarked for passage in a ship of the Navy, his personal flag shall be displayed from such ship, unless there is already displayed from such ship the flag of an officer his senior.

3. When a civil official, in whose honor the display of a personal flag is prescribed during an official visit, is embarked for passage in a ship of the Navy, his personal flag shall be displayed from such ship.

4. A personal flag or command pennant may be hauled down during battle or at any time when the officer concerned, or the senior officer present, considers that it is desirable thus to render a flagship less distinguishable. When hauled down it shall be replaced with a commission pennant.

5. An officer of the Navy commanding a ship engaged otherwise than in the service of the United States shall not display a personal flag, command pennant, or commission pennant from such ship, or in the bow of a boat.

6. A ship under way shall not display a personal flag or command pennant unless a flag officer or unit commander is aboard. Should a flagship get under way during the absence of the flag officer or unit commander, the personal flag or command pennant shall be hauled down and replaced with a commission pennant.

1067. Broad or Burgee Command Pennant.

1. The broad or burgee command pennant shall be the personal command pennant of an officer of the Navy, not a flag officer, commanding a unit of ships or aircraft.

2. The broad command pennant shall indicate command of:

a. A division of battleships, aircraft carriers, or cruisers.

b. A force, flotilla, or squadron of ships or craft of any type.

c. An aircraft wing, carrier air wing, or carrier air group.

3. The burgee command pennant shall indicate command of:

a. A division of ships or craft other than battleships, aircraft carriers, or cruisers.

b. A major subdivision of an aircraft wing or group.

1068. Display of More Than One Personal Flag or Pennant Aboard Ship.

1. When the personal flag of a civil official is displayed aboard a ship of the Navy, a personal flag or command pennant of an officer of the Navy, shall be displayed, if required, as follows:

a. Aboard a single-masted ship, at the starboard yardarm.

b. Aboard a two-masted ship, at the fore truck.

c. Aboard a ship with more than two masts, at the after truck.

2. When, in accordance with these regulations, the personal flag of a civil official and the personal flag or command pennant of an officer of the Navy are displayed at the starboard yardarm, the personal flag of the civil official shall be displayed outboard.

3. When two or more civil officials, for each of whom the display of a personal flag is prescribed, are embarked in the same ship of the Navy, the flag of the senior only shall be displayed.

1069. Display of a Personal Flag or Command Pennant When a National Ensign is at Masthead.

1. The President's flag, if displayed at a masthead where a national ensign is required to be displayed during an official visit or during periods of dressing or full-dressing ship, shall remain at that masthead to port of the United States national ensign and to starboard of a foreign national ensign.

2. Except as provided above, a personal flag or command pennant shall not be displayed at the same masthead with a national ensign, but shall:

a. During a gun salute, be lowered clear of the ensign.

b. During an official visit, be shifted to the starboard yardarm in a single-masted ship and to the fore truck in a two-masted ship.

c. During periods of dressing or full-dressing ship:

(1) If displayed from the fore truck or from the masthead of a single-masted ship, be shifted to the starboard yardarm.

(2) If displayed from the main truck, be shifted to the fore truck in lieu of the national ensign at that mast.

(3) If displayed from the after truck of a ship with more than two masts, remain at the after truck in lieu of the national ensign at that mast.

1070. Personal Flags and Pennants Ashore.

1. A flag or general officer in command ashore shall display his personal flag day and night at a suitable and conspicuous place within his command. When such officer makes an official inspection at an outlying activity of his command, his flag shall, if practicable and appropriate, be shifted to such outlying activity.

2. A flag officer or unit commander of the operating forces whose headquarters are ashore shall display his personal flag or pennant day and night at a suitable and conspicuous place at his headquarters, unless it is displayed from a ship of his command.

3. When the points for display of two or more personal flags ashore are in such close proximity as to make their separate display inappropriate, that of the senior officer present only shall be displayed.

4. When a personal flag or a foreign ensign is required to be displayed ashore during the official visit of, or a gun salute to, a civil official or foreign officer, it shall be displayed from the normal point of display of a personal flag or pennant of the officer in command, and the latter's flag or pennant shall be displayed at some other point within the command.

5. During the official inspection by a flag or general officer of a unit of his command ashore, his personal flag shall displace a personal flag or pennant of the officer in command.

6. If two or more civil officials, for each of whom the display of a personal flag is prescribed, are present officially at a command ashore at the same time, the flag of the senior only shall be displayed.

1071. Personal Flag or Command Pennant, When Officer Temporarily Succeeded in Command.

1. When a flag or general officer or a unit commander has been succeeded temporarily in command, as prescribed in these regulations, his personal flag or command pennant shall be hauled down. The officer who has succeeded temporarily to the command shall display the personal flag or command pennant to which he is entitled by these regulations.

2. In a foreign port upon the occasion of the absence of a flag officer from his command for a period exceeding 72 hours, the command subject to any directions from the flag officer, shall devolve upon the senior officer present of the unit who is eligible for the exercise of command at sea, but as standard procedure the flag officer's flag shall continue to be flown in his regular flagship until that ship is under way, at which time the personal flag shall be hauled down and not again hoisted until the flag officer returns to his flagship. Commanders in chief and fleet commanders have authority to modify this procedure with respect to their personal flags as the exigencies of the service require.

1072. Absence Indicators.

In ships, the absence of an official or officer whose personal flag or pennant is displayed, a chief of staff, or a commanding officer shall be indicated from sunrise to sunset by the display of an absence indicator as prescribed in current instructions.

1073. Personal Flags and Pennants of Officers in Boats and Automobiles and Aircraft.

1. An officer in command, or a chief of staff when acting for him, when embarked in a boat of the naval service on official occasions, shall

display from the bow his personal flag or command pennant or, if not entitled to either, a commission pennant.

2. An officer entitled to the display of a personal flag or command pennant may display a miniature of such flag or pennant in the vicinity of the coxswain's station when embarked on other than official occasions in a boat of the naval service.

3. An officer entitled to the display of a personal flag or command pennant may, when riding in an automobile on an official occasion, display such flag or pennant forward on such vehicle.

4. An officer entitled to the display of a personal flag or command pennant may, when embarked in an aircraft on an official occasion, display such flag or pennant on both sides just forward and below the cockpit of such aircraft at rest.

1074. Flags of Civil Officials in Boats and Automobiles and Aircraft.

A flag shall be displayed in the bow of a boat in the naval service whenever a United States civil official is embarked on an official occasion, as follows:

a. A union jack for:

(1) A diplomatic representative of or above the rank of charge d'affaires, within the waters of the country to which he is accredited.

(2) A governor general or governor commissioned as such by the President, within the area under his jurisdiction.

b. The consular flag for a consular representative.

c. The prescribed personal flag for other civil officials when such officials are entitled to the display of a personal flag during an official visit.

d. A civil official entitled to the display of a personal flag may, when riding in an automobile on an official occasion, display such flag forward on such vehicle.

e. A civil official entitled to the display of a personal flag may, when embarked in an aircraft, display a miniature of such flag on both sides just forward and below the cockpit of such aircraft at rest.

1075. Bow Insignia and Flagstaff Insignia for Boats.

1. A boat regularly assigned to an officer for his personal use shall carry insignia on each bow as follows:

a. For a flag or general officer, the stars as arranged in his flag.

b. For a unit commander not a flag officer, a replica of his command pennant.

c. For a commanding officer, or a chief of staff not a flag officer, an arrow.

2. Staffs for the ensign, and for the personal flag or pennant in a boat assigned to the personal use of a flag or general officer, unit commander, chief of staff, or commanding officer, or in which a civil official is embarked, shall be fitted at the peak with devices as follows:

a. A spread eagle: For an official or officer whose official salute is 19 or more guns.

b. A halberd:

(1) For a flag or general officer whose official salute is less than 19 guns.

(2) For a civil official whose official salute is 11 or more guns but less than 19 guns.

c. A ball:

(1) For an officer of the grade, or relative grade, of captain in the Navy.

(2) For a career minister, a counselor or first secretary of embassy or legation, or a consul.

d. A star: For an officer of the grade, or relative grade, of commander in the Navy.

e. A flat truck:

(1) For an officer below the grade, or relative grade, of commander in the Navy.

(2) For a civil official not listed above, and for whom honors are prescribed for an official visit.

1076. Display of Foreign National Ensign During Gun Salutes.

1. While firing a salute to the nation upon entering a foreign port, returning such salute fired by a foreign warship, or firing a salute on the occasion of a foreign national anniversary, celebration, or solemnity, a ship shall display the ensign of the foreign nation at the main truck.

2. While firing a salute to a foreign dignitary or offical entitled to 21 guns, a ship shall display the national ensign of such dignitary or official at the main truck. While firing a salute to the foreign official entitled to less than 21 guns, or to a foreign officer, or when returning

a salute fired by a foreign officer, the national ensign of the foreign official or officer shall be displayed at the fore truck.

3. At a naval station, under the circumstances set forth in the preceding paragraphs of this article, the appropriate foreign ensign shall be displayed from the normal point of display of the personal flag or pennant of the officer in command, and the latter's flag or pennant shall be displayed at some other point within the command.

1077. Display of National Ensigns of Two or More Nations.

1. When the national ensigns of two or more nations are required to be displayed from the same masthead, the United States national ensign, if required, shall be displayed to starboard of all others. The national ensigns of other nations shall be displayed, starboard to port, in the alphabetical order of the names of the nations in the English language; except that the ensign of a foreign nation within whose waters the ship is located, if displayed, shall be to starboard of other foreign ensigns.

2. While a salute is being fired under the foregoing conditions, the ensign of the nation being honored, or whose dignitary is being honored, shall be displayed alone.

3. In rendering honors, the national ensign of one nation shall not be displayed above that of another nation at the same masthead.

1078. Choice of Foreign Flag or Ensign in Rendering Honors.

In rendering honors requiring the display of a foreign flag or ensign:

a. In the case of a government having both a national flag and a national ensign (man-of-war flag), the national ensign shall be displayed except under the conditions set forth in this article.

b. In the case of a commonwealth, dominion, or similar government recognized as independent by the Government of the United States, which has a national flag of its own but which also employs the national ensign (man-of-war flag) of the empire or federation to which it belongs, the national flag of the commonwealth or dominion shall be displayed except when rendering honors to naval officers; in which latter case the national ensign (man-of-war flag) shall be displayed.

c. In the case of a government not recognized as independent by the Government of the United States, such as a protectorate or colony, the flag of the government exercising protective or colonial power shall be displayed except when otherwise directed by the Secretary of the Navy.

d. In the case of a government carried on by a joint mandate or trusteeship and having no distinct national flag of its own, the flags of the several countries comprising the mandate shall be displayed when rendering honors.

1079. Dressing and Full-Dressing Ship.

1. On occasions of dressing ship the largest national ensign with which the ship is furnished shall be displayed from the flagstaff, and except as prescribed for a ship displaying a personal flag or command pennant, a national ensign shall be displayed from each masthead. The national ensigns displayed at the masthead shall be of uniform size, except when, due to a substantial difference in heights of masthead, a difference in the size of national ensigns is appropriate.

2. On occasions of full-dressing ship, in addition to the dressing of the mastheads, a rainbow of signal flags, arranged in the order prescribed in Navy Department publications, shall be displayed, reaching from the foot of the jackstaff to the mastheads and thence to the foot of the flagstaff. Peculiarly masted or mastless ships shall make a display as little modified from the rainbow effect as is practicable.

3. When dressing or full-dressing ship in honor of a foreign nation, the national ensign of that nation shall replace the United States national ensign at the main, or at the masthead in the case of a singlemasted ship; provided that when a ship is full-dressed or dressed in honor of more than one nation, the ensign of each such nation shall be displayed at the main, or at the masthead in a single-masted ship.

4. Should half-masting of the national ensign be required on occasions of dressing or full-dressing ship, only the national ensign at the flagstaff shall be half-masted.

5. When full-dressing is prescribed, the senior officer present may direct that dressing be substituted if, in his opinion, the state of the weather makes such action advisable. He may also, under such circumstances, direct that the ensigns be hauled down from the mastheads after being hoisted.

6. Ships not under way shall be dressed or full-dressed from 0800 until sunset. Ships under way shall not be dressed or full-dressed.

1080. Senior Officer Present Afloat Pennant.

If two or more ships of the Navy are together in port, the senior officer present afloat pennant shall be displayed from the ship in which the senior officer present afloat is embarked, except when the personal flag of the senior officer present afloat clearly indicates his seniority. It shall be displayed from the inboard halyard of the starboard main yardarm.

1081. Ships Passing Washington's Tomb.

When a ship of the Navy is passing Washington's tomb, Mount Vernon, Virginia, between sunrise and sunset, the following ceremonies shall be observed insofar as may be practicable: The full guard and band shall be paraded, the bell tolled, and the national ensign half-masted at the beginning of the tolling of the bell. When opposite Washington's tomb, the guard shall present arms, persons on deck shall salute, facing in the

direction of the tomb, and ''Taps'' shall be sounded. The national ensign shall be hoisted to the truck or peak and the tolling shall cease at the last note of ''Taps'', after which the National Anthem shall be played. Upon completion of the National Anthem, ''Carry on'' shall be sounded.

1082. National Holidays.

1. The following shall be observed as holidays on board ships of the Navy and at naval stations and activities: New Year's Day, the 1st of January; Washington's Birthday, the third Monday in February; Memorial Day, the last Monday in May; Independence Day, the 4th of July; Labor Day, the first Monday in September; Columbus Day, the second Monday in October; Veterans Day, the fourth Monday in October; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, the 25th of December, and such other days as may be designated by the President.

2. Whenever any of the above-designated dates falls on Saturday, the preceding day shall be observed as a holiday, and whenever such date falls on Sunday, the following day shall be observed.

1083. Ceremonies for National Holidays.

1. On Washington's Birthday, the third Monday in February, and on Independence Day, the 4th of July, every ship of the Navy in commission, not under way, shall full-dress ship. At noon each saluting ship, and each naval station equipped with a saluting battery, shall fire a national salute of 21 guns.

2. On Memorial Day, the last Monday in May, each saluting ship, and each naval station having a saluting battery, shall fire at noon a salute of 21 minute-guns. All ships and naval stations shall display the national ensign at half-mast from 0800 until the completion of the salute or until 1220 if no salute is fired or to be fired.

3. When the 4th of July occurs on Sunday, all special ceremonies shall be postponed until the following day.

1084. Foreign Participation in United States National Anniversaries or Solemnities.

1. Prior to celebrating a United States national anniversary, or observing a national solemnity, in a foreign place or in the presence of foreign warships, the senior officer present of the United States naval service shall give due notice to the foreign port authorities, and to the senior officer of each nationality present, of the time and manner of conducting the celebration or solemnity, and shall, as appropriate, invite their participation therein. An officer shall be sent to thank the foreign authorities or ships which participate in such celebration or solemnity.

2. When foreign troops participate in parades within the territorial jurisdiction of the United States, they shall be assigned a position of honor ahead of United States troops, except that a small detachment of United States troops will immediately precede the foreign troops as a guard of honor.

3. On occasions when troops of two or more foreign nations participate, the troops of the nation in whose honor the parade is held will be assigned a position ahead of all others, otherwise the order of precedence among foreign troops will be determined, as appropriate, by:

a. The relative ranks of the commanders of the forces from which the parade detachments are drawn; or

b. The relative ranks of the commanders of the parade detachments; or

c. The alphabetical order in the English language of the names of the nations concerned.

1085. Observance of Foreign Anniversaries and Solemnities.

1. In a foreign place, or when in company with a foreign warship, when a national anniversary or solemnity is being observed by foreign port authorities or a foreign warship, a ship of the Navy shall, upon official invitation, follow the example of the foreign authority or warship in full-dressing or dressing ship, firing salutes, and half-masting ensigns. Salutes shall not exceed 21 guns unless the senior officer present deems it proper to fire a larger number in order to participate properly in the ceremony, or to avoid giving offense. Upon all such occasions efforts shall be made to accord, so far as practicable, with the foreign authorities in the time and manner of conducting the ceremonies.

2. Uniform accoutrements of mourning, including mourning badges or bands, may be worn on the uniform when appropriate, or when directed by competent authority, by persons in the naval service who are stationed in, or who are officially visiting, a foreign nation during the period that the foreign government ordains as the period of national mourning.

1086. Ships Passing USS ARIZONA Memorial.

When a ship of the Navy is passing the USS ARIZONA Memorial, Pearl Harbor, Hawaii between sunrise and sunset, passing honors consisting of sounding ''Attention'' and rendering the hand salute by all persons in view on deck and not in ranks shall be executed by that ship.

1087. Death of United States Civil Official.

1. Upon the death of a United States Civil Official listed below, the following ceremonies shall be observed:

Official	National ensign half-masted		Gun salute	
	By—	Period of Display	Fired by—	How and when fired
President, former President, or a President-elect.	All ships and stations of the Department of the Navy.	For 30 days from the day of death.	(a) All saluting ships, not under way, in ports under United States jurisdiction, and each naval station having a saluting battery.	1 gun every half hour from [illegible] till sunset on day after receipt of official notice of death.
			(b) Senior saluting ship present in each port under United States jurisdiction, and each naval station having a saluting battery.	21 minute-guns fired at noon on day of funeral.
Vice President, Chief Justice or retired Chief Justice of the United States, or the Speaker of the House of Representatives.	do	For 10 days from the day of death.	(a) All saluting ships, not under way, in ports under United States jurisdiction, and each naval station having a saluting battery.	Minute-guns equal in number to official salute of deceased, fired at noon on day after receipt of official notice of death.
			(b) Senior saluting ship present, and naval station having saluting battery, in port where funeral occurs.	Minute-guns equal in number to official salute of deceased, fired at noon on day of funeral.
An Associate Justice of the Supreme Court, a member of the Cabinet, a former Vice President, the President pro tempore of the Senate, the Majority Leader of the Senate, the Minority Leader of the Senate, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force.	do	From the day of death until interment.	do	Do.
Governor of a state, territory, commonwealth or possession.	All ships and stations in each state, territory, commonwealth or possession.	do	Ship and station as designated by senior officer present in port where funeral honors are directed to be rendered.	Do.
United States Senator, Representative, Territorial Delegate, or the Resident Commissioner from the Commonwealth of Puerto Rico.	All ships and stations in the metropolitan area of the District of Columbia, and All ships and stations in the applicable state, congressional district, territory or commonwealth	On the day of death and the following day	do	Do.
		From the day of death until interment.	do	Do.
Civil official not listed above, but entitled to gun salute on official visit.	Ships and stations in the vicinity where directed by senior officer present or other competent authority to join in funeral honors.	From [illegible] till sunset on day of funeral.	Ship and station as designated by senior officer present in port where funeral honors are directed to be rendered.	Do.

2. When the day after receipt of notice of death falls upon a Sunday or a national holiday, gun salutes will be fired on the day following Sunday or a national holiday.

3. The national ensign shall be half-masted upon receipt of notification from any reliable source, including news media, of the death of one of the designated civil officials.

1088. Death of a Person in the Military Service.

1. Upon the death of a person in the military service, the following ceremonies shall be observed:

Deceased	National ensign half-masted		Personal flag or command pennant of deceased, commission pennant of ship commanded	Gun salute	
	By—	Period of Display		Fired by—	How and when fired
Chairman or former Chairman of the Joint Chiefs of Staff, United States military officer of 5-star rank, Chief or former Chief of Naval Operations, Commandant or former Commandant of the Marine Corps	All ships and stations of the Department of the Navy.	From the time of death until sunset of the day of the funeral	Half-masted from time of death until sunset of day of funeral, or removal of the body, and then hauled down	Flagship or station commanded; or as designated by senior officer present.	Minute-guns equal in number to official salute of deceased, fired during funeral.
Flag or general officer (Marine) in command	All ships present, not under way, and by naval stations in vicinity.	From time of death until sunset of day of funeral, or removal of the body.	do	do	Do
Flag or general officer (Marine) not in command	do	From the beginning of the funeral until sunset of that day		Ship or station designated by senior officer present.	Do.
Unit commander not a flag officer; commanding officer.	do	do	Half-masted from time of death until sunset of day of funeral, or removal of the body, and then hauled down; except commission pennant remanded up.	Flagship, or ship or station commanded, or as designated by senior officer present.	7 minute-guns, fired during funeral.
All other persons in the naval service.	do	During funeral and for 1 hour thereafter.			

2. At joint installations or commands the procedures prescribed by the responsible military commander or the executive agent will be executed uniformly by all the United States military units present.

3. The national ensign shall be half-masted upon receipt of notification of death of one of the designated officials from any reliable source, including news media.

4. If he deems it appropriate, the senior officer present may direct that the ceremonies prescribed in this article be observed during the transfer of the body of the deceased from the ship or naval station, rather than during the funeral.

5. In the event of a military funeral of a person in the naval service on the retired list, ceremonies as prescribed in this article shall be rendered insofar as may be practicable.

6. On the occasion of conducting the funeral of a person in the naval service near posts, stations, or ships of other armed services of the United States, or the Coast Guard, the commanding officers thereof shall be duly notified of the time and the honors to be rendered by ships of the Navy or by naval stations.

7. During the funeral of a flag officer of the Coast Guard, or a general officer of the armed services of the United States, other than naval, and other than those listed in paragraph 1 of this article, at a place where there is a naval station, or where one or more ships of the Navy are present, the ensigns of such stations and ships shall be half-masted during the funeral service and for one hour thereafter; and minute-guns, of the number prescribed for the funeral of the deceased by the regulations of the service to which he belonged, shall be fired by the naval station, if practicable, and by the senior saluting ship present.

1089. General Provisions Pertaining to Funerals.

1. If there is no chaplain or clergyman available, the commanding officer, or his representative, shall conduct the funeral service.

2. There shall be six pallbearers and six body bearers. The pallbearers shall, if practicable, be of the same grade or rating as the deceased. If a sufficient number of foreign officers of appropriate grade attend the funeral, they may be invited to serve as additional pallbearers. Pallbearers and body bearers shall follow the procedure prescribed in the Landing Party Manual, U. S. Navy.

3. The wearing of the mourning badge is discretionary for those in attendance at a funeral and shall be worn by the escort for a military funeral as prescribed in the respective Uniform Regulations.

4. Boats taking part in a funeral procession shall display the national ensign at half-mast. If the deceased was a flag or general officer, or at the time of his death a unit commander, or a commanding officer of a ship, his flag or command pennant, or a commission pennant, shall be draped in mourning and displayed at half-mast from a staff in the bow of the boat carrying the body. A funeral procession of boats shall, in general, be formed in the order prescribed in the Landing Party Manual, U. S. Navy, for a funeral procession on shore.

5. The casket shall be covered with the national ensign, so placed that the union is at the head and over the left shoulder of the deceased. The ensign shall be removed from the casket before it is lowered into the grave or committed to the deep.

6. Persons in the naval service shall salute when the body is carried past them, while the body is being lowered into the grave or commited to the deep, and during the firing of volleys and the sounding of "Taps."

7. Three rifle volleys shall be fired after the body has been lowered into the grave or committed to the deep, following which "Taps" shall be sounded by the bugle; except that in a foreign port, when permission has not been obtained to land an armed escort, the volleys shall be fired over the body after it has been lowered into the boat alongside.

8. During burial at sea, the ship shall be stopped, if practicable, and the ensign shall be displayed at half-mast from the beginning of the funeral service until the body has been committed to the deep. Further display of the ensign at half-mast may be prescribed according to circumstances by the senior officer present.

9. Funeral honors shall not be rendered between sunset and sunrise. When it is necessary to bury the dead at night, such funeral services as are practicable shall take place.

1090. Funeral Escorts.

1. An escort under arms shall, when practicable, accompany the funeral cortege to the place of interment, and shall follow the procedure prescribed in the Landing Party Manual, U. S. Navy.

2. The funeral escort for a President, Vice President, Secretary of Defense, Secretary of the Navy, Under Secretary of the Navy, Assistant Secretary of the Navy, Fleet Admiral, Chief of Naval Operations, or Commandant of the Marine Corps shall be as prescribed by the Secretary of the Navy.

3. Unless otherwise prescribed by the senior officer present, the funeral escort for other persons in the Navy or the Marine Corps shall comprise commands equivalent to the following infantry units, insofar as is practicable with the Navy or Marine Corps forces available.

Admiral, Navy and General, Marine Corps	1 Battalion
Other Flag Officers, Navy and General Officers, Marine Corps	1 Company
Captain, Navy and Colonel, Marine Corps	1 Company
Other commissioned officers, warrant officers and midshipmen of the Navy and Marine Corps	1 Platoon
Chief Petty Officer, Navy and Gunnery Sergeant and above, Marine Corps	2 Squads
Other enlisted persons, Navy and Marine Corps	1 Squad

4. The grade or rating of the escort commander normally shall be the same as, or higher than, that of the deceased.

1091. Display of Personal Flag, Command Pennant, Or Commission Pennant in Funerals on Shore.

If the deceased was a flag or general officer, or at the time of his death, a unit commander or commanding officer of a ship, his personal flag or command pennant, or commission pennant, shall be draped in mourning and carried immediately in advance of the body in the funeral procession to the grave.

1092. Burial in a Foreign Place.

Before a person in the naval service is buried in a foreign place, the senior officer present shall arrange with the local authorities for the interment of the body and shall also request permission to parade an escort under arms. He shall inform the senior foreign officers present and the appropriate local officials of the time and place of the funeral, and of the funeral honors to be rendered by United States forces present.

1093. Death of Diplomatic, Consular, or Foreign Official.

1. On the death in a foreign place of a diplomatic or consular representative of the United States, the senior officer present shall, as circumstances permit, arrange for appropriate participation in the funeral ceremonies by persons in the naval service.

2. When the senior officer present receives official notice of the death or funeral of a foreign official, or member of a foreign armed service, he shall, as circumstances warrant and as international courtesy demands, direct visits of condolence to be made, and arrange for participation by persons in the naval service in the funeral ceremonies.

1094. Transporting Body of Deceased Official.

When a ship of the Navy is transporting the body of a deceased official, the honors and ceremonies prescribed for an official visit shall, if directed by the senior officer present or higher authority, be rendered when the body is received aboard or leaves the ship.

CHAPTER 11

RIGHTS AND RESPONSIBILITIES OF PERSONS IN THE DEPARTMENT OF THE NAVY

1101. Officer's Duties Relative to Laws, Orders and Regulations.

Every officer in the naval service shall acquaint himself with, obey, and, so far as his authority extends, enforce the laws, regulations and orders relating to the Department of the Navy. He will faithfully and truthfully discharge the duties of his office to the best of his ability in conformance with existing orders and regulations and his solemn profession of the oath of office. In the absence of instructions he shall act in conformity with the policies and customs of the service to protect the public interest.

1102. Requirement of Exemplary Conduct.

All commanding officers and others in authority in the naval service are required to show in themselves a good example of virtue, honor, patriotism, and subordination; to be vigilant in inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Navy, all persons who are guilty of them; and to take all necessary and proper measures, under the laws, regulations, and customs of the naval service, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge. (10 USC 5947).

1103. Conduct of Persons in the Naval Service.

All persons in the naval service shall show in themselves a good example of subordination, courage, zeal, sobriety, neatness and attention to duty. They shall aid, to the utmost of their ability and to the extent of their authority, in maintaining good order and discipline as well as in other matters concerned with the efficiency of the command.

1104. Compliance With Lawful Orders.

All persons in the naval service are required to obey readily and strictly, and to execute promptly, the lawful orders of their superiors.

1105. Appeal From Decision of a Superior.

An official appeal by a person in the Department of the Navy from an order or decision of an immediate superior shall be addressed to the next higher common superior having power to act in the matter and shall be forwarded through such immediate superior, except in the case of the latter's refusal or failure to forward it, when it may be forwarded direct with an explanation of such course. If the officer whose order or decision is appealed from is the commanding officer of the person appealing and if such commanding officer refuses or fails to forward the appeal, the person appealing may appeal to any officer superior to such commanding officer; the latter officer shall forward the appeal directly to the officer exercising general court-martial jurisdiction over the commanding officer. The officer exercising general court-martial jurisdiction shall examine into said appeal and take proper measures; and he shall, as soon as possible, transmit to the Secretary of the Navy a true statement of such appeal, with the proceedings had thereon.

1106. Oppression or Other Misconduct by a Superior.

1. If any person in the naval service considers himself oppressed by his superior, or observes in him any misconduct, he shall not fail in his respectful bearing towards such superior, but shall report such oppression or misconduct to the proper authority. Such person will be held accountable if his report is found to be vexatious, frivolous, or false.

2. A report of oppression by, or misconduct of, a superior shall be made to the immediate commanding officer of the person making the report unless the commanding officer is himself the subject of the report, or is the subordinate of the officer who is the subject of the report.

3. If the immediate commanding officer is the subject of the report, the report shall be in writing and shall be forwarded to the superior who exercises general court-martial jurisdiction over the commanding officer reported on, through the immediate commanding officer and any other officers who may be in the chain of command. If the immediate commanding officer reported on or if any superior in the chain of command not having general court-martial jurisdiction shall refuse or fail within a reasonable time to forward the report received to his immediate superior having such jurisdiction, the person making the report may complain to any officer superior to himself and such officer shall forward the complaint directly to the immediate superior exercising general court-martial jurisdiction over the immediate commanding officer.

4. If a superior of the immediate commanding officer is the subject of the report, the report shall be in writing and shall be forwarded through the immediate commanding officer and the officer who is the subject of the report, and any other officers who may be in the chain of command, to the immediate superior exercising general court-martial jurisdiction over the officer reported on. If any officer through whom the report is forwarded refuses or fails to forward the report within a reasonable time, the person making the report may complain to any officer superior to himself, and such officer shall forward the complaint directly to the immediate superior exercising general court-martial jurisdiction over the officer reported on.

5. Any officer exercising general court-martial jurisdiction over a person reported on shall, upon receiving a report of oppression or

misconduct, examine into the matter, and take such action in conformity with the Uniform Code of Military Justice and these regulations as may be proper to redress wrong, if any, complained of; and he shall, as soon as may be practicable, transmit to the Secretary of the Navy a true statement of the report and any proceedings had in connection therewith.

1107. Direct Communication With the Commanding Officer.

1. The right of any person in the naval service to communicate with the commanding officer at a proper time and place is not to be denied or restricted.

2. Officers who are senior to the executive officer have the right to communicate directly with the commanding officer, but they shall keep the executive officer informed on matters related to the functioning of the command.

3. A head of department, or of any other major subdivision of an activity, has the right to communicate directly with the commanding officer concerning any matter relating to his department or subdivision, but shall keep the executive officer informed.

1108. Forwarding Individual Requests.

Requests from persons in the naval service shall be acted upon promptly. When addressed to higher authority, requests shall be forwarded without delay. The reason should be stated when a request is not approved or recommended.

1109. Accusations, Replies, and Counter Charges.

1. Whenever an accusation is made against a person in the naval service, either by report or by endorsement upon a communication, a copy of such report or endorsement shall be furnished him at the time.

2. Reports or complaints, and statements submitted in reply to written accusations or in explanation thereof, shall be couched in temperate language and shall be confined to pertinent facts. Opinions shall not be expressed nor the motives of others impugned.

3. Persons in the naval service to whom reports or complaints are submitted for statement shall not reply by making counter charges.

1110. Adverse Matter in the Record of a Person in the Naval Service.

Adverse matter shall not be placed in the record of a person in the naval service without his knowledge. Except for the medical and dental entries referred to in the following article, such matters shall be first referred to the person reported upon for such statement as he may choose to make. If the person reported upon does not desire to make a statement, he shall so state in writing.

1111. Adverse Entries in Medical and Dental Records.

1. The medical officer or dental officer shall inform the person concerned whenever an entry is made in such person's medical record or dental record of a serious illness, operation, injury, or physical defect which may adversely affect, in other than a temporary degree, his efficiency in the performance of duty.

2. The medical officer or dental officer shall inform, in writing, the commanding officer and the person concerned whenever an entry is made in the latter's medical record which indicates that a disease or injury may be attributable to misconduct, or indicating the use by such person of intoxicants, marijuana, narcotic substances or other controlled substances as defined in these regulations to a degree presumed to disqualify him physically, mentally, or morally for performance of duty.

3. The medical officer or dental officer normally shall permit access to the record by the person concerned when adverse entries are made. Should the medical officer or dental officer deem the condition of the person concerned to be such as to make it inadvisable or impractical to inform him of the entry or to permit him access to the record, he shall so advise the commanding officer, and shall make a notation of this action and opinion in the record. As soon as circumstances permit the person concerned shall be notified of the adverse entry and this fact shall be noted in the record. The person concerned shall have the right to make and have entered in the record such statement in rebuttal as he may desire. If the person concerned does not desire to make a statement, he shall so state in writing.

1112. Misconduct and Line of Duty Findings.

Except for the medical and dental entries referred to in the preceding article, no adverse entry concerning misconduct and line of duty shall be made in any person's official record except in accordance with the provisions of the Manual of the Judge Advocate General.

1113. Inspection of the Record of a Person in the Naval Service.

The record of a person of the naval service maintained by the Chief of Naval Personnel or the Commandant of the Marine Corps shall be available for inspection by him or his duly authorized agent, designated as such by him in writing.

1114. Correction of Naval Records.

1. Any military record in the Department of the Navy may be corrected by the Secretary of the Navy, acting through the Board for Correction of Naval Records, when he considers that such action should be taken in order to correct an error or to remove an injustice.

2. Applications for corrections under this article may be made only after exhaustion of all other administrative remedies afforded by law or regulation.

3. Applications for such corrections should be submitted to the Secretary of the Navy (Board for Correction of Naval Records) in accordance with procedural regulations established by the Secretary of the Navy and approved by the Secretary of Defense.

1115. Control of Official Records.

No person, without proper authority, shall withdraw official records or correspondence from the files, or destroy them, or withhold them from those persons authorized to have access to them.

1116. Disclosure and Publication of Information.

1. No person in the Department of the Navy shall convey or disclose by oral or written communication, publication, graphic (including photographic) or other means, any classified information except as provided in the Department of the Navy Security Manual for Classified Information. Additionally, no person in the Department of the Navy shall communicate or otherwise deal with foreign entities, even on an unclassified basis, when such would commit the Department of the Navy to disclose classified military information, except as may be required in his official duties and only after coordination with and approval by the release authority stipulated in the Department of the Navy Security Manual for Classified Information.

2. No person in the Department of the Navy shall convey or disclose by oral or written communication, publication, or other means, except as may be required by his official duties, any information concerning the Department of Defense or forces, or any person, thing, plan or measure pertaining thereto, where such information might be of possible assistance to a foreign power; nor shall any person in the Department of the Navy make any public speech or permit publication of any article written by or for him which is prejudicial to the interests of the United States. The regulations concerned with the release of information to the public through any media will be as prescribed by the Secretary of the Navy.

3. No person in the Department of the Navy shall, other than in the discharge of his official duties, disclose any information whatever, whether classified or unclassified, or whether obtained from official records or within the knowledge of the relator, which might aid or be of assistance in the prosecution or support of any claim against the United States.

4. Any person in the Department of the Navy receiving a request from the public for Department of the Navy records shall be governed by security classification markings, distribution statements on technical documents, and the term "For Official Use Only" which may be used to identify material or records not to be released to the general public. The general regulations concerned with the availability to the public of the Department of the Navy records shall be as prescribed by the Secretary of the Navy.

5. Persons in the Department of the Navy desiring to submit manuscripts to commercial publishers, on professional, political or international subjects shall comply with regulations promulgated by the Secretary of the Navy.

6. No person in the naval service on active duty or civilian employee of the Department of the Navy shall act as correspondent of a news service or periodical, or as a television or radio news commentator or analyst, unless assigned to such duty in connection with the public affairs activities of the Department of the Navy, or authorized by the Secretary of the Navy. Except as authorized by the Secretary of the Navy, no person assigned to duty in connection with public affairs activities of the Department of the Navy shall receive any compensation for acting as such correspondent, commentator, or analyst.

1117. Official Records in Civil Courts.

No person in the Department of the Navy shall produce or release any official record in response to a subpoena duces tecum, motion for discovery, interrogatory or otherwise in a civil suit, or in connection with preliminary investigations by attorneys or others except in accordance with the provisions of the Manual of the Judge Advocate General.

1118. Leave and Liberty.

It is the policy of the Department of the Navy that leave and liberty will be granted to the maximum extent practicable.

1119. Quality and Quantity of Rations.

1. Meals served in the general mess shall be sampled, regularly, by an officer detailed by the commanding officer for that purpose. Should this officer find the quality or quantity of the food unsatisfactory, or should any member of the mess object to the quality or quantity of the food, the commanding officer shall be notified and he shall take appropriate action.

2. No person employed in the service of the general mess shall receive any subscription from persons entitled to subsist in the mess.

1120. Rules for Preventing Collisions, Afloat and in the Air.

1. All persons in the naval service responsible for the operation of naval ships, craft and aircraft shall diligently observe the International Rules for Preventing Collisions at Sea, (commonly called International Rules of the Road) Inland Rules of the Road, domestic and international air traffic regulations, and such other rules and regulations as may be established by the Secretary of Transportation or other competent authority for regulating traffic and preventing collisions on the high seas, in inland waters, or in the air, where such laws, rules and regulations are applicable to naval ships and aircraft. In those situations where such law, rule or regulation is not applicable to

naval ships, craft or aircraft they shall be operated with due regard for safety of others.

2. Any significant infraction of the laws, rules and regulations governing traffic or designed to prevent collisions on the high seas, in inland waters, or in the air, which may be observed by persons in the naval service shall be promptly reported to their superiors, including the Chief of Naval Operations or Commandant of the Marine Corps when appropriate.

3. Reports need not be made under this article if the facts are otherwise reported in accordance with other directives, including duly authorized safety programs.

1121. Discharge of Oil, Trash, and Garbage.

1. Except as authorized by law or regulation, no oil, oily waste, or trash shall be discharged into United States or foreign internal waters or prohibited areas. The United States prohibited area is designated as waters within 50 miles of the United States coastline. The Chief of Naval Operations shall provide descriptions of prohibited areas for other nations. Trash discharged at sea should have, or be packaged for, negative buoyancy.

2. Garbage shall not be thrown overboard within a contiguous zone, which is 12 miles from any coastline.

3. Any oil slick within 50 miles of the coastline of the United States shall be reported as soon as possible to nearest Coast Guard District Headquarters.

1122. Code of Conduct for Members of the Armed Forces of the United States.

1. The code of Conduct for Members of the Armed Forces of the United States shall be carefully explained to each enlisted person:

a. Within six days of his initial enlistment.

b. After completion of six month's active service, and

c. Upon the occasion of each reenlistment.

2. Instruction in the Code of Conduct for Members of the Armed Forces of the United States shall be included in the general military training program of the command.

3. A text of the Code of Conduct for Members of the Armed Forces of the United States shall be posted in one or more conspicuous places, readily accessible to personnel of the command.

1123. Capture by an Enemy.

1. A person in the naval service who is captured by the enemy is bound to give only his name, grade or rate, file or serial number and date of birth. In order to communicate with his family, as guaranteed in the Geneva Convention Relative to the Treatment of Prisoners of War, he may give the names and addresses of his parents, guardian, or next of kin.

2. Except as provided in the foregoing any person in the naval service captured by the enemy shall evade further questions and shall make no oral or written statement disloyal to, critical of, or harmful to, the United States or its allies.

1124. Relations With Foreign Nations.

1. Persons in the Department of the Navy, in their relations with foreign nations, and with the governments or agents thereof, shall conform to international law and to the precedents established by the United States in such relations.

2. The religious institutions and customs of foreign countries visited by persons in the Department of the Navy shall be respected.

1125. Language Reflecting Upon a Superior.

No person in the naval service shall use language which may tend to diminish the confidence in or respect due to his superior officer.

1126. Suggestions for Improvement.

Any person in the Department of the Navy may address to the Secretary of the Navy via chain of command, suggestions or constructive criticism pertaining to improvements in efficiency or more economical methods of administration or management in the Department of the Navy.

1127. Exchange of Duty.

No person in the naval service shall exchange an assigned duty with another without permission from his commanding officer or appropriate superior.

1128. Unavoidable Separation From a Command.

Any person in the naval service who is separated from his ship, station, or unit due to shipwreck, disaster, or other unavoidable circumstances, shall proceed as soon as possible to the nearest United States military activity and report to the commanding officer thereof.

1129. Combinations for Certain Purposes Prohibited.

Combinations of persons in the naval service for the purpose of remonstrating against orders or details to duty, complaining of particulars of duty or procuring preferences are forbidden.

1130. Making of Gifts or Presents.

1. No person in the Department of the Navy shall at any time solicit contributions from other persons in the naval service or from other officers, clerks, or employees in the Government service for a gift or present to persons in superior official positions; nor shall any persons in such superior official positions receive any gift or present offered or presented them as a contribution from persons in Government employ (including persons in the naval service) receiving a less rate of pay than themselves, nor shall any of said persons make any donation as a gift or present to any such official superiors. However, this paragraph does not prohibit a voluntary gift of nominal value or donation in nominal amount made on a special occasion such as marriage, illness or retirement.

2. No person in the Department of the Navy shall solicit subscriptions for the purpose of making a gift to a member of the immediate family of a person in a superior official position.

1131. Pecuniary Dealings With Enlisted Persons.

1. No officer shall borrow money or accept deposits from, or have any pecuniary dealings with an enlisted person, except as may be required in the performance of his duty, and except for the sale of an item of personal property which is for sale to other persons under the same conditions of guarantee and for same consideration, and never having been the property of a government.

2. Superiors of flag or general grade, may authorize, as a duty, an officer or officers to accept deposits from an enlisted person for the sole purpose of temporarily safeguarding his personal funds under emergency or operational situations.

1132. Lending Money and Engaging in a Trade or Business.

1. No person in the naval service, on active service, shall, for profit or benefit of any kind, lend money to another person in the armed services, except by permission of his commanding officer; nor, having made a loan to another person in the armed services, shall he take or receive, in payment therefor, then or later, directly or indirectly, without the approval of the commanding officer, a sum of money, or any other thing or service, of a greater amount or value than the sum of money loaned.

2. Unless authorized by his commanding officer or higher authority, no person in the naval service on active service, either for himself or as an agent for another, shall engage in trade or business on board any ship of the Navy or within any naval activity or introduce any article for purposes of trade on board any ship of the Navy or within any naval activity.

1133. Use of Title for Commercial Enterprises.

No person in the naval service shall, while on extended naval service, use his grade or rating in connection with a commercial enterprise. ''Extended naval service,'' for the purposes of this article, is defined as active duty, other than active duty for training, under a call or order that does not specify a period of thirty days or less. This article shall not apply to a person who is not on active service, nor shall it apply to authorship of any material for publication, by persons on either active or inactive service, provided that such material is published in accordance with existing regulations.

1134. Report of a Communicable Disease.

All persons in the naval service shall report promptly to a medical representative, or where no medical officer is readily available, to his higher authority the existence or suspicion of communicable disease in persons with whom they are living or otherwise come in contact.

1135. Immunization.

Persons in the naval service shall permit such action to be taken to immunize them against disease as is prescribed by competent authority.

1136. Possession of Weapons.

Except as may be necessary to the proper performance of his duty or as may be authorized by proper authority, no person in the naval service shall:

a. Have concealed about his person any dangerous weapon, instrument or device; or any highly explosive article or compound.

b. Have in his possession any dangerous weapon, instrument, or device, or any highly explosive article or compound on board any ship, craft, aircraft, or in any vehicle of the naval service or within any base, or other place under naval jurisdiction.

1137. Report of Deficit or Excess of Public Money or Property.

Any person in the Department of the Navy who has knowledge of a deficit or excess of public money or public property shall take prompt and appropriate action to bring the matter to the attention of his commanding officer or appropriate superior.

1138. Use and Expenditure of Equipage and Supplies.

All persons in the Department of the Navy shall ensure that equipage and supplies in their charge are properly cared for, preserved, and economically used. They shall avoid any unnecessary expenditure of public money. To the extent of their authority, they shall prevent infractions of this regulation by others.

1139. Obligation to Report Offenses.

Persons in the Department of the Navy shall report to proper authority offenses committed by persons in the Department of the Navy which come under their observation.

1140. Report of Fraud.

If any person in the Department of the Navy has knowledge of any fraud, collusion, or improper conduct on the part of any purchasing or other agent or contractor, or on the part of any person employed in superintending repairs, receiving or receipting for supplies, or has knowledge of any fraud, collusion, or improper conduct in such matters connected with the Department of the Navy, he shall report the same immediately in writing to the proper authority, specifying the particular act, or acts of misconduct, fraud, neglect, or collusion and describing any evidence which may assist in proving same.

1141. Possession of Government Property.

No person in the Department of the Navy shall have in his possession any property of the United States, except as may be necessary to the proper performance of duty or as may be authorized by proper authority.

1142. Uniforms, Arms, and Outfits.

1. The clothing, arms, and accouterments which are sold or issued by the United States to any person in the naval service shall not be sold, bartered, exchanged, pledged, loaned or given away, except as may be authorized by proper authority.

2. No person in the naval service shall have in his possession, without permission from proper authority, any article of wearing apparel or bedding belonging to any other person in the naval service.

1143. Return of Government Property on Release From Active Service.

When a person is released from active service, he shall return all Government property in his possession to his commanding officer or other competent authority.

1144. Issue or Loan of Public Property.

1. Except as prescribed in this article, public property including supplies, shall not be issued, on loan or otherwise, to any state, organization, or private individual except by special authority of Congress.

2. When so authorized by the senior officer present, a commanding officer may issue such supplies as can be spared to those in distress in the event of a public exigency or calamity, or to vessels in distress, and, when so authorized, he may issue rations and necessities to destitute seamen and airmen of the United States who are received on board. The supply officer making such an issue shall do so only pursuant to an order in writing, shall procure receipts when practicable for the supplies issued, and shall render accounts for such supplies in accordance with the instructions contained in the Naval Supply System Command Manual or the Marine Corps Supply Manual, as appropriate.

3. Public property, except aircraft, may be loaned by the commandant of a naval district to a state located within the district and maintaining naval militia organizations, for use by a naval militia organization in that state, provided that 95 percent of the personnel of the last-mentioned organization are attached to or associated with a unit of the naval reserve, and provided that the naval militia organization conforms to the standards prescribed by the Secretary of the Navy for similar organizations of the Naval Reserve. A report of such loans shall be made by the commandant to the interested bureaus, offices or commands of the Navy Department.

1145. Administrative Control of Funds.

No person in the Department of the Navy shall make or authorize an expenditure from or create or authorize an obligation under any appropriation or fund in excess of the amount available therein; nor shall any such person involve the Government in any contract or other obligation for the payment of money for any purpose in advance of appropriations made for such purpose, unless such contract or obligation is authorized by law. No person in the Department of the Navy shall accept voluntary service for the United States or employ personal service in excess of that authorized by law, except in cases of emergency involving the safety of human life or the protection of property.

1146. Adoption or Use of Proprietary Articles, Inventions or Copyrighted Material.

1. Except as prescribed in this article, no person in the Department of the Navy shall adopt or use or shall authorize the adoption or use for or on behalf of the Government of:

a. Any article when it is known to be proprietary.

b. Any invention when it is known, or there is reason to believe, that the invention is or will be patented.

c. Any matter in which it is known, or there is reason to believe, a copyright exists.

2. Adoption or use of any of the above mentioned classes shall not be made unless consent of the owner has been obtained or, lacking consent of the owner, such use or adoption has been authorized by the Secretary of the Navy; provided, however, that when the

exigencies of the naval service necessitate, adoption or use of any of the classes above mentioned may be made without waiting to obtain prior consent or authorization of either the owner or the Secretary of the Navy. In any case where such adoption or use is made without obtaining prior consent or authorization, a full and complete report of all facts and circumstances relevant thereto shall be made promptly to the Secretary of the Navy.

1147. Service Examinations.

1. No person in the Department of the Navy, without proper authority, shall:

a. Have in his possession, obtain, sell, publish, give, purchase, receive, or reproduce; or

b. Attempt or offer to have in his possession, obtain, sell, publish, give, purchase, receive, or reproduce; any examination paper, or any part or copy thereof, or answer sheet thereto, for any examination whatsoever which has been, is, or is to be, administered within the Department of the Navy.

2. Prior to, during, or after any examination which is to be, is being, or has been administered within the Department of the Navy, no person in the Department of the Navy shall, without proper authority, disclose, or solicit the disclosure of, any information regarding questions or answers to questions on such examination.

3. No person in the Department of the Navy shall engage in any unauthorized form of giving or accepting assistance or of self-help during the administration of any examination within the Department of the Navy.

1148. Dealings With Members of Congress.

No person may restrict any member of an armed force in communicating with a member of Congress, unless the communication is unlawful or violates a regulation necessary to the security of the United States. (10 USC 1034).

1149. Communications to the Congress.

No person in the naval service shall, in his official capacity, apply to the Congress or to either house thereof, or to any committee thereof, for legislation or for appropriations or for Congressional action of any kind except with the consent and knowledge of the Secretary of the Navy. Nor shall any such person, in his official capacity, respond to any request for information from Congress, or from either house thereof, or from any committee of Congress, except through, or as authorized by, the Secretary of the Navy, or as provided by law.

1150. Alcoholic Liquors.

1. Except as may be authorized by the Secretary of the Navy, the introduction, possession or use of alcoholic liquors for beverage purposes on board any ship, craft, aircraft, or in any vehicle of the Department of the Navy is prohibited. The transportation of alcoholic liquors for personal use ashore is authorized, subject to the discretion of the officer in command or officer in charge, or higher authority, when the liquors are delivered to the custody of the officer in command or officer in charge of the ship, craft, or aircraft in sealed packages, securely packed, properly marked and in compliance with customs laws and regulations, and stored in securely locked compartments, and the transportation can be performed without undue interference with the work or duties of the ship, craft, or aircraft. Whenever alcoholic liquor is brought on board any ship, craft, or aircraft for transportation for personal use ashore, the person who brings it on board shall at that time file with the officer in command or officer in charge of the ship, craft, or aircraft, a statement of the quantity and kind of alcoholic liquor brought on board by him, together with his certification that its importation will be in compliance with customs and internal revenue laws and regulations and applicable State or local laws at the place of debarkation.

2. The introduction, possession, and use of alcoholic liquors for beverage purposes or for sale is authorized within naval activities and other places ashore under naval jurisdiction, to the extent and in such manner as the Secretary of the Navy may prescribe.

1151. Responsibilities Concerning Marijuana, Narcotics, and Other Controlled Substances.

1. All personnel shall endeavor to prevent and eliminate the unauthorized use of marijuana, narcotics, and other controlled substances within the naval service.

2. Except for authorized medicinal purposes, the introduction, possession, use, sale, or other transfer of marijuana, narcotic substances or other controlled substances on board any ship, craft, or aircraft of the Department of the Navy or within any naval station or other place under the jurisdiction of the Department of the Navy, or the possession, use, sale, or other transfer of marijuana, narcotic substances or other controlled substances by persons in the naval service, is prohibited.

3. The term "controlled substance" means: a drug or other substance included in Schedule I, II, III, IV, or V established by section 202 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (84 Stat. 1236), as updated and republished under the provisions of that Act.

1152. Records of Fitness.

1. Records will be maintained on officers and enlisted persons of the Navy and Marine Corps which reflect their fitness for the service and performance of duties. Promotion and assignment to duty is determined by an individual's record of which the record of fitness and performance is an essential part.

2. The fitness and performance report is decisive in the service career of the individual officer and enlisted person and has an important influence on the efficiency of the entire Department of the Navy. The preparation of these reports shall be regarded by superior and commanding officers as one of their most important and responsible duties.

3. The Chief of Naval Operations and the Commandant of the Marine Corps shall be responsible for the maintenance and administration of the records and reports in their respective services.

1153. Demand for Court-Martial.

Except as otherwise provided in the Uniform Code of Military Justice, no person in the naval service may demand a court-martial either on himself or on any other person in the naval service.

1154. Suspension or Arrest of an Officer.

1. An officer placed under arrest or restriction (with or without suspension from duty) on board ship shall not be confined to his room or restrained from the proper use of any part of the ship to which, before his suspension, arrest, or confinement, he had a right, except the quarter-deck and bridges, unless such arrest or restriction shall be necessary for the safety of the ship or of the officer, or for the preservation of good order and discipline. Similarly, at a naval station or other place on shore, the arrest or restriction imposed shall not be unduly rigorous.

2. An officer when placed under arrest shall not visit his commanding officer or other superior officer unless sent for or to obtain medical treatment or in case of emergency, but in case of business requiring attention, he shall make it known in writing.

1155. Temporary Restoration to Duty.

A commanding officer or other competent authority may temporarily release and restore to duty an officer in custody or under restriction, arrest, or confinement, should an emergency of the service or other sufficient cause make such measure necessary. The order for temporary release shall be in writing and shall assign the reasons. Should the officer be under charges, they need not be withdrawn, and such temporary release and restoration to duty shall not be a bar to any subsequent investigation or trial of the case that the convening authority may think proper to order, nor to the investigation of any complaint the accused may make in regard to the custody, restriction, arrest or confinement.

1156. Refusal to Return to Duty.

No person in the naval service shall persist in considering himself in custody or under restriction, arrest, or confinement, after he has been released by proper authority, nor shall he refuse to return to duty.

1157. Reprimand or Admonition.

Any letter of censure to a subordinate from any officer in command is a nonjudicial punishment within the purview of Article 15, Uniform Code of Military Justice, except when issued pursuant to the sentence of a court-martial, if a copy thereof is forwarded to the Headquarters, United States Marine Corps or Bureau of Naval Personnel. Any other criticism, reproof, or instructions, written or oral, shall not in itself constitute a punishment in that sense.

1158. Limitations on Certain Punishments.

1. Instruments of restraint, such as handcuffs, chains, irons, and straitjackets, shall not be applied as punishment. Furthermore, chains shall not be applied as restraints. Other instruments of restraint may not be used except for safe custody and no longer than is strictly necessary under the following circumstances:

(a) As a precaution against escape during the transfer of a person in custody or confinement;

(b) On medical grounds by direction of the medical officer;

(c) By order of the commanding officer or officer in charge, if necessary to prevent a person from injuring himself or others or from damaging property, provided that other methods of control are considered ineffectual. In such instances a medical examination shall be made at the earliest practicable time, preferably in advance of the restraint, to ensure that no medical contraindication exists. The commanding officer or officer in charge shall submit a letter report of the details to the next superior authority and, if no medical officer is available to conduct the examination, shall submit a message report in lieu thereof.

2. The punishments of extra duties and hard labor without confinement shall not be performed on Sunday although Sunday counts in the computation of the period for which such punishments are imposed.

3. Guard duty shall not be inflicted as punishment.

1159. Treatment and Release of Prisoners.

1. Persons in confinement shall be in the custody of a master-at-arms or other person designated by the commanding officer. They shall not be subjected to cruel or unusual treatment. They shall be visited as necessary, but at least once every 4 hours to ascertain their condition, and to care, as may be appropriate, for their needs.

2. The commanding officer shall direct their release promptly upon the expiration of their confinement. In case of fire or other sudden danger which may imperil their lives, they shall, subject to such special orders as the commanding office may have issued, be removed to a place of safety

or, when appropriate, released within the limits of the command by the master-at-arms, or other custodian, and the commanding officer shall be promptly informed of the action taken.

3. No greater force than that required to restrain or confine the offender shall be used in taking into custody a person intoxicated from indulgence in alcoholic liquors, or under the influence of marijuana, narcotic substances, or other controlled substances as defined in these regulations.

1160. Places of Confinement.

1. Prisoners shall be confined only in brigs or other facilities designated as naval places of confinement by the Secretary of the Navy. However, in cases of necessity, the senior officer present may authorize temporary confinement in spaces which provide sufficient security features, safety for both the prisoner and guard personnel, and adequate living conditions.

2. Intoxicated persons or persons under the influence of marijuana, narcotic substances, or controlled substances as defined in these regulations shall not be confined in any place or manner that may be dangerous to them in their condition.

1161. Endorsement of Commercial Product or Process.

Except as necessary during contract administration to determine specification or other compliance, no person in the Department of the Navy, in his official capacity, shall endorse or express an opinion of approval or disapproval of any commercial product or process.

1162. Action Upon Receipt of Orders.

1. An order from competent authority to an officer requiring such officer to report for duty at a place, or to proceed to any point and report for duty, but fixing no date and not expressing haste, shall be obeyed by reporting within four days, exclusive of travel time, after its receipt for execution. If the order read "without delay," the officer shall report within forty-eight hours, exclusive of travel time, after its receipt for execution; and if "immediately," within twelve hours, exclusive of travel time, after its receipt for execution. Officers receiving "proceed without delay" and "proceed immediately" orders shall endorse on their orders the date and hour of their receipt for execution. Any delay in carrying out orders granted by competent authority is in addition to the time allowed by this article.

2. The time allowed by this article may be taken any time between the time of detachment from the officer's original station and the time of reporting at the new permanent duty station. It may, however, be taken only once regardless of whether the officer avails himself at that time of all or part of the proceed time.

3. An application for the revocation or modification of orders will not justify any delay in their execution, if the officer ordered is able to travel.

4. Proceed time for enlisted personnel will be as prescribed by the Chief of Naval Operations or the Commandant of the Marine Corps.

1163. Equal Opportunity and Treatment.

Equal opportunity and treatment shall be accorded all persons in the Department of the Navy irrespective of their race, color, religion, sex, or national origin consistent with requirements for physical capabilities.

CHAPTER 12

PURPOSE AND FORCE OF REGULATIONS
WITHIN THE DEPARTMENT OF THE NAVY

1201. PURPOSE AND FORCE OF UNITED STATES NAVY REGULATIONS.

United States Navy Regulations is the principal regulatory document of the Department of the Navy, endowed with the sanction of law, as to duty, responsibility, authority, distinctions, and relationships of various commands, officials, and individuals. Other regulations, instructions, orders, manuals, or similar publications, shall not be issued within the Department of the Navy which conflict with, alter or amend any provision of Navy Regulations.

1202. ISSUANCES CONCERNING MATTERS OVER WHICH CONTROL IS EXERCISED.

Responsible officers and officials of the Department of the Navy may issue, or cause to be issued, orders, instructions, directives, manuals or similar publications concerning matters over which they exercise command, control, or supervision.

1203. IMPOSITION OF WORKLOAD.

Orders, instructions or directives will be issued with due regard for the imposition of workload resulting therefrom and benefits or advantages to be gained, particularly, when the imposition of requirements is outside of command lines of authority.

1204. NAVY REGULATIONS CHANGES.

1. The Chief of Naval Operations is responsible for ensuring that Navy Regulations conform to the current needs of the Department of the Navy. When any person in the Department of the Navy deems it advisable that a correction, change or addition should be made to Navy Regulations, he shall forward a draft of the proposed correction, change or addition, with a statement of the reasons therefor to the Chief of Naval Operations via the chain of command. The Chief of Naval Operations shall endeavor to obtain the concurrence of the Commandant of the Marine Corps, the Judge Advocate General, and other appropriate offices and bureaus. Unresolved disputes concerning such corrections, changes or additions shall be forwarded to the Secretary of the Navy for appropriate action.

2. Changes to Navy Regulations will be numbered consecutively and contained in page changes. Advance changes may be used when required. Advance changes will be numbered consecutively and incorporated in page changes at frequent intervals.

GLOSSARY

Command --- (DOD) 1. The authority which a commander in the military service lawfully exercises over his subordinates by virtue of rank or assignment. Command includes the authority and responsibility for effectively using available resources and for planning the employment of, organizing, directing, coordinating, and controlling military forces for the accomplishment of assigned missions. It also includes responsibilities for health, welfare, morale, and discipline of assigned personnel. 2. An order given by a commander; that is, the will of the commander expressed for the purpose of bringing about a particular action. 3. A unit or units, an organization, or an area under the command of one individual. 4. To dominate by a field of weapon fire or by observation from a superior position.

Superior --- A commander or officer in command of a senior force, unit, or organization in line of command. Also, a senior person in line of command.

Flag and General Officers --- Flag officer means an officer of the Navy or Coast Guard above the grade of captain. General officer means an officer of the Marine Corps, the Army, or the Air Force above the grade of colonel.

Person in the naval service --- Means a person, male or female, appointed or enlisted in, or inducted or conscripted into, the Navy or the Marine Corps. Also, same meaning for member of the naval service.

Persons in the Department of the Navy --- All persons in the naval service and civilians employed under the Department of the Navy.

Ships --- A classification of water-borne craft which comprises generally the ocean-going vessels and craft of the Navy, and such other water-borne craft as may be assigned this classification.

Service Craft --- A classification of water-borne craft which comprises generally the water-borne utilitarian craft not classified as ships or boats.

Boats --- A classification of water-borne craft which comprises generally the water-borne craft suitable primarily for shipboard and similar use.

Active Status --- A status of ships and service craft. Active status ships or service craft are assigned to the active fleets and to their supporting activities. Ships and service craft in active status are "in commission" or "in service."

Inactive Status --- A status of ships and service craft. Inactive status ships and service craft are in reserve and not currently required for duty in the active fleets or supporting forces. Ships and service craft in inactive status are "in commission, in reserve," or "in service, in reserve" or "out of commission, in reserve" or "out of service, in reserve."

Special Status --- A status of ships and service craft. Ships and service craft in special status shall include those units for which the Navy is charged with certain responsibilities by reason of custody or title, but which are not in the active or inactive status. Ships and service craft in special status are "in commission, special" or "in service, special" or "out of commission, special" or "out of service, special."

Vessel --- Includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water. (1 USC 3).

Naval Activity --- A unit of the Department of the Navy, of distinct identity, and established under an officer in command or in charge.

Naval Station --- A naval activity on shore, having a commanding officer, and located in an area having fixed boundaries, within which all persons are subject to naval jurisdiction and immediate authority of the commanding officer.

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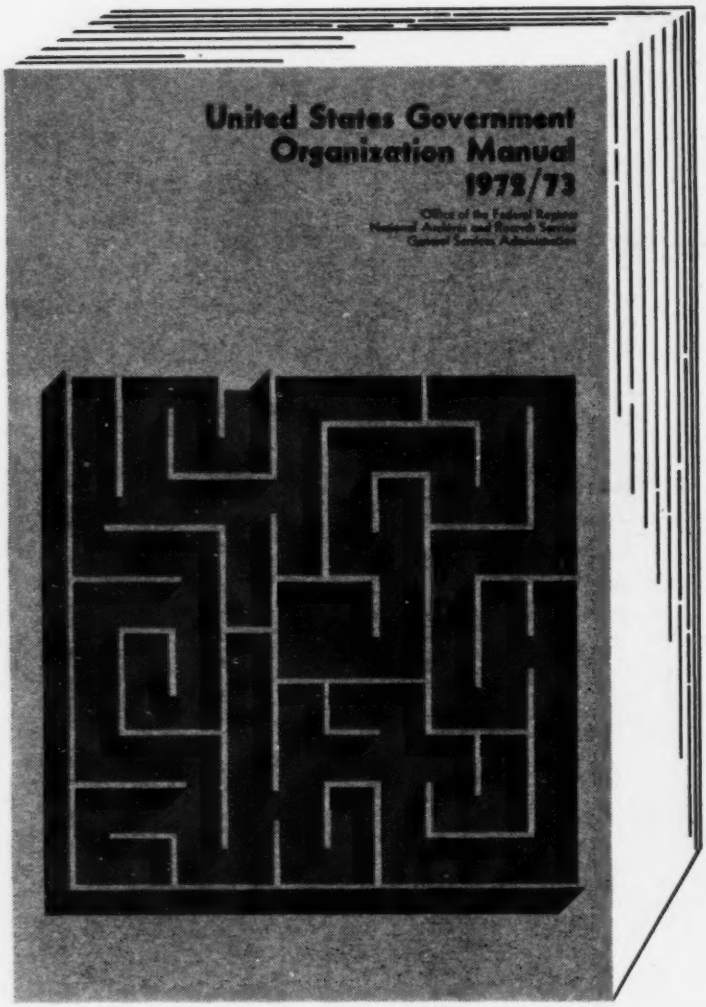

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